

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF DECEMBER 18, 1998

(Published Tuesday, December 29, 1998,
in Finance and Commerce)

Council Chamber

Minneapolis, Minnesota

December 18, 1998 – 9:30 a.m.

President Cherryhomes in the Chair.

Present – Council Members Mead, Minn,
McDonald, Johnson, Ostrow, Thurber,
Campbell, Biernat, Niland, Goodman, Colvin
Roy, Herron, President Cherryhomes.

Campbell moved acceptance of the
minutes of the regular meeting of December 4
and the adjourned sessions held December 7
and 10, 1998. Seconded.

Adopted upon a voice vote.

Campbell moved referral of petitions and
communications and reports of the City officers
to proper Council committees and departments.
Seconded.

Adopted upon a voice vote.

PETITIONS AND COMMUNICATIONS

COMMUNITY DEVELOPMENT:

COORDINATOR (264373)

Neighborhood Revitalization Program
Implementation Issues: Update report.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (264374)

Viking Materials, Inc & Charles Alen
Applegate (3225 Como Ave SE): Resolution
giving preliminary approval to issue \$5 million
in revenue bonds to expand manufacturing
facility.

Nile LLC (3720-23rd Ave S): Resolution
giving preliminary approval to issue \$25 million
in revenue bonds to acquire nursing home
facility.

Benchmark Healthcare of Mpls, Inc (1620
Oak Park Ave N): Resolution giving final
approval to issue \$3,250,000 in revenue bonds
to acquire & operate a nursing facility.

Seward Square Apartments (2121 S 9th
St): Resolution giving preliminary approval to
issue \$5,600,000 in revenue bonds to acquire
& rehab existing multifamily apartment
development; w/attachments.

Block E: Request to extend Sunset Date re
Redevelopment Contract with Brookfield
Management Services LLC & McCaffery
Interests, Inc for Block E.

Tax-Exempt Bonding Authority: Resolution
authorizing carry forward of unused 1998
allocation to 1999.

PLANNING COMMISSION/DEPARTMENT
(264375)

Commercial Corridors: Recommendations
of Commercial Corridor Revitalization Work
Team.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (264376)

Humboldt Greenway Redevelopment Plan:
Resolutions approving Plan & endorsing
creation of a Steering Committee.

Discount Steel, Inc (2611 N 2nd St &
216-27th Ave N): Resolution giving preliminary
approval to issue \$2,750,000 in revenue bonds
to purchase & equip a manufacturing facility.

MCDA Salary & Benefit Adjustments:
Report & recommendations for Assistant
Development Counsel job classification.

Ryan Properties, Inc: Request for
issuance of \$35 million in bonds & \$20 million
Tax Increment Revenue Note for Target store
project, 900 Nicollet Mall.

Ryan Properties, Inc: Request for issuance of \$8,037,090 & \$234,090 in fundings to cover condemnation awards for Target store project, 900 Nicollet Mall.

Heritage Landing (RiverStation II): Business term modifications.

NEIGHBORHOOD REVITALIZATION PROGRAM (NRP) (264377)

Armatage Neighborhood: Approve use of Hennepin Cty's "second 7.5%" NRP funds to support construction of Armatage playground.

Jordan Neighborhood: Approve use of Hennepin County's "second 7.5%" NRP funds to support housing redevelopment programs.

Standish Ericsson Neighborhood: Approve NRP Action Plan & use of Mpls School Board's "second 7.5%" NRP funds to support computer lab at Roosevelt High School.

St Anthony East Neighborhood: Approve NRP Action Plan & use of Mpls School Board's "second 7.5%" NRP funds to support improvements at Webster School playground.

Nokomis East Neighborhood: Approve NRP Action Plan.

Lynnhurst Neighborhood: Approve NRP Action Plan.

Logan Park Neighborhood: Approve NRP Action Plan.

INTERGOVERNMENTAL RELATIONS:

LIAISON/FEDERAL, LOCAL AND STATE (264378)

Legislature: House Committee Assignments for Republicans for 1999-2000 session.

State Budget: Surplus forecast for 1998-2001.

INTERGOVERNMENTAL RELATIONS

(See Rep):

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (264379)

Upper Mississippi American Heritage River: Authorize execute cooperative agreement with other communities; appoint Ann Calvert, Fred Neet, David Byfield, & Mary Maguire to American Heritage River Initiative Steering Committee w/attached map & background information.

INTERGOVERNMENTAL RELATIONS and WAYS & MEANS/BUDGET (See Rep):

COORDINATOR-LIAISON/FEDERAL, LOCAL AND STATE (264380)

North State Advisers, Inc: Authorize execute extend contract for legislative advice & lobbying services for 1999.

PUBLIC SAFETY AND REGULATORY

SERVICES:

MAY MOUNTAIN BLOCK CLUB (264381)

Presentation by May Mountain Block Club Leader regarding Level II crime enforcement.

PUBLIC SAFETY AND REGULATORY

SERVICES (See Rep):

FIRE DEPARTMENT (264382)

Fire Suppression Services: Authorize respond to Request for Proposals for fire suppression services at VA Medical Center and Fort Snelling National Cemetery.

HEALTH AND FAMILY SUPPORT SERVICES (264383)

1999 Clinic Enhancement and Health Education Services: Execute contracts with Indian Health Board of Minneapolis; Glenwood Lyndale Community Center; Planned Parenthood of Minnesota & South Dakota; Hennepin County/Family Medical Center; Southside Community Health Services; Fremont Community Health Services; Cedar Riverside People's Center; Regents of the University of Minnesota/Community-University Health Care/Variety Children's Clinic; and Neighborhood Involvement Project (Uptown Clinic).

School Health Services: Execute contract with Minneapolis Public Schools for staff services in restructuring of school health services.

School Health Services: Amend Agreement #13012 with Minneapolis Public Schools for continued social work services at Welcome Center; and extend contract period through 6/30/99.

INSPECTIONS DEPARTMENT (264384)

Raze Buildings: 1400-02 Morgan Av N; 2109 Aldrich Av N; 1324 Oliver Av N; 2009 Willow Av N; 3211 Morgan Av N; 3024 Emerson Av N; 425 20th Av NE; 1213 Spring St NE.

LICENSES AND CONSUMER SERVICES
(264385)

Licenses: Applications.

**PUBLIC SAFETY AND REGULATORY
SERVICES and WAYS & MEANS/
BUDGET (See Rep):**

FIRE DEPARTMENT (264386)

Physical Fitness: First Extension to Contract #11912 with Starmark Northwest Management, dba Northwest Athletic Club, to set forth payment terms and contract period from 11/98 through 12/99.

LICENSES AND CONSUMER SERVICES
(264387)

Way To Grow: Execute Addendum to Agreement #13136 changing term to 8/1/98 through 7/31/99 to provide lead reduction and educational activities in accordance with project workplan of United States Department of Housing and Urban Development.

POLICE DEPARTMENT (264388)

Youth Access to Alcohol: Submit grant application under Minnesota Join Together Coalition of the Robert Wood Foundation seeking funds to increase enforcement of adults who provide alcohol to underage persons in social or non-commercial settings, including "party houses", in Southeast Minneapolis.

Boarderline System: Accept system from Department of the Army and the Department of Defense to implement high tech efforts to assist with investigations involving illegal drug trafficking and prosecution of law violators.

TRANSPORTATION AND PUBLIC WORKS:

TRAFFIC ENGINEERING (264389)

Traffic Restrictions: Quarterly report on stop signs, parking/turn restrictions, special zones, streetlights, etc.

**TRANSPORTATION AND PUBLIC WORKS
(See Rep):**

PUBLIC WORKS AND ENGINEERING
(264390)

Carriage Walk Reimbursement: Execute agreement with Hennepin County to provide for reimbursement of costs incurred by the City in replacing carriage walks during Portland Av resurfacing project.

Dinkytown Area Parking Study: Execute agreement with Dinkytown Business Association to plan and implement parking solutions.

Encroachment of Areaway Wall into 5th St S: Grant Hennepin County permission to delay removal of an areaway discovered under 5th St S; Accept letter from Hennepin County Engineer acknowledging the County's responsibility to remove areaway in future.

SOLID WASTE AND RECYCLING
DIVISION (264391)

Sentence to Serve Crews: Execute contract with Hennepin County to provide two crews for Clean City services during 1998.

Recycling Contract: Direct staff to continue negotiations on extension to agreement with BFI through June 30, 2000.

TRAFFIC ENGINEERING (264392)

Linden Hills Neighborhood Design Services: Authorize preparation and distribution of a Request for Proposals to solicit design services related to transportation and design issues along the W 44th St corridor, as called for in the Linden Hills NRP Action Plan.

Critical Parking Area #20: Establishment of Type A zone (two-hour parking, 8am to 6pm, Monday through Friday, except by permit) in the area of the Glendale Housing (27th Av SE, St Mary's Av SE, Williams Av SE, Essex Av SE & Delaware Av SE).

Critical Parking Area #19: Establishment of Type A zone (one-hour parking, 8am to 4pm, Monday through Friday, except by permit) on W 49th St; and Request for parking area on Pleasant Av S.

**TRANSPORTATION AND PUBLIC WORKS
and WAYS & MEANS/BUDGET
(See Rep):**

PUBLIC WORKS AND ENGINEERING
(264393)

Hiawatha Avenue Construction (E 24th to E 32nd St): Execute agreement with Minnesota Department of Transportation to receive federal and state funds for installation of fifteen temporary signals, and appropriate funds.

Relocation Services: Authorize payment to Copeland Truc-King, Inc for moving services associated with Public Works Facilities Project.

PURCHASING (264394)

Bids: Accept OP #5029, low bid of Custom Products & Services for labor, equipment and materials to provide snow removal and sidewalk maintenance through 4/30/99 in Stadium Village Special Service District; OP #4982, bid of Custom Products and Services for labor, equipment and materials to

provide snow removal and sidewalk maintenance in Dinkytown Special Service District; OP #4971, low bid meeting specifications of Tri-State Drilling for construction of 600MM (24") lined drill hole for Sewer Division.

TRAFFIC ENGINEERING (264395)

Franchise Review for Transtop Minnesota, Inc: Review of franchise agreements and options for extending contract for ten years or establishing a review committee to recommend changes.

Parking Meter Enforcement Hours: Authorize experimental program in two downtown areas (Loring Park and Itasca Building) whereby parking meter enforcement will not commence until 9 am to accommodate resident needs, for the period January through August 1999.

WATER DEPARTMENT (264396)

Risk Management Plans for Water Works Plant: Execute agreement with CH2M HILL to develop risk management plans for Fridley and Columbia Heights Filtration Plants.

WAYS AND MEANS BUDGET:

ASSESSOR (264397)

City Housing Prices and Availability: Receive and File information.

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (264398)

Urban Village Redevelopment Plan: Provide comment(s) to Community Development Committee.

FINANCE DEPARTMENT (264399)

Travel Expenses: Third Quarter 1998 Report.

HUMAN RESOURCES (264400)

CityWorks Plan: Update.

WAYS AND MEANS BUDGET (See Rep):

ARTS COMMISSION (264401)

Round 16 of Neighborhood Arts New Presenters Program: Approve funding for organizations recommended by Advisory Panel.

ASSESSOR (264402)

Maynidoowahwak Odena Cooperative: Deny application.

ATTORNEY (264403)

Legal Services Panel: Authorize establish panel; Execute Master Agreements.

Lawsuit Settlement: Approve settlement of Cedar Associates, Inc, David Espeland lawsuit.

Workers Compensation Settlement:

Approve settlement of claim and City's subrogation interest relating to Leroy Swenson (deceased).

CONVENTION CENTER (264404)

Convention Center Expansion: Select Zurich American Insurance Group as insurance carrier for Owner Controlled Insurance Program; Execute contracts and documents.

Bid: OP #5025, Accept low bid of The Builders, Inc. of Minneapolis.

Professional Sales and Marketing Services: Agreement with Greater Minneapolis Convention and Visitors Association.

EMERGENCY COMMUNICATIONS CENTER (ECC) (264405)

Computer Aided Dispatch Services to Hennepin County Medical Center: Contract with Hennepin County.

FINANCE DEPARTMENT (264406)

Utility Billing Insert: Approve fair housing and Home Improvement Fair inserts for February/March, 1999.

Interim Financing for Mann Theater/Stimson Building: Approve recommendations.

HEALTH AND FAMILY SUPPORT SERVICES (264407)

Community Outreach Services for Seniors: Rescind Council Action of October 16, 1998; Amend Contract #8870 with Minnesota Age and Opportunity, Inc.

Northside Plan Success Skills Classes: Issue Fund Availability Notice to Pillsbury Neighborhood Services.

HUMAN RESOURCES (264408)

Management Analyst Position: Salary Ordinance.

Street Operations Specialist Position: Salary Ordinance.

Stock Worker Position: Salary Ordinance.

Chief Inspector, Utility Connections Position: Salary Ordinance.

Housing Inspections Administrator Position: Salary Ordinance; Abolish Supervisor, Housing Inspections title.

OPERATIONS AND REGULATORY SERVICES (264409)

Convention Center: Approve reimbursement funding.

Convention Center: Contract with Greater Minneapolis Convention and Visitors Association.

ZONING AND PLANNING:

INSPECTIONS/BOARD OF
ADJUSTMENT (264410)

St Maron's Catholic Church (219 6th Av NE): Appeal of Michael Rainville from decision approving variation of off-street parking spaces and use of same off-street parking facility for 2 church uses.

ZONING AND PLANNING (See Rep):

ATTORNEY (264411)

Good Choice Inc (2746 Blaisdell): Request from Gassen Khorl that City, as property owner within 100 feet, to authorize consent on Petition for Amendment of the Zoning Code.

CITY CLERK/SPECIAL PERMITS
(264412)

24th St E, 506 (Patrick Scully) operate Patrick's Cabaret during renovation; 42nd St E, 2820 (KMC Telecom II Inc) utility cabinet; Marquette Av, 517 (Nordquist Sign Co Inc) sign; Nicollet, 3007 (Attracta Sign) sign; Nicollet Av S, 5409 (A Packaging Co) portable sign; University Av SE, 2700 (Suburban Lighting) sign.

INSPECTIONS/ZONING
ADMINISTRATOR (264413)

Fees for Zoning & Planning Services: Proposed fee schedule for 1999; Background reports on downtown fees, comparison of residential & commercial/industrial fees, homestead & business taxes, costs of services.

INSPECTIONS/ZONING
ADMINISTRATOR (264414)

Humboldt Circle Project: Inspections: Call-in to determine Development Dynamics Corp (Kaye Westerland) compliance with site plan and consider revocation of conditional use permit, w/correspondence, drawings, photographs.

Humboldt Circle Association: Request City's assistance to force developer to comply with conditional use permit, position statement w/attachments.

INSPECTIONS/BOARD OF
ADJUSTMENT (264415)

Voss, Robert J (5142 Logan Av N): Bd of Adjustment: Appeal decision denying application for increase in garage size to permit an existing addition to garage to remain w/attached minutes, drawings, photos.

Council Member Barbara Johnson: Letter opposing variance.

PLANNING COMMISSION/DEPARTMENT
(264416)

Comprehensive Plan: Request Metropolitan Council extend deadline for submission.

50 South Sixth Street Project (Hines Building): Recommend that Environmental Impact Statement is not needed & adopt Findings of Fact and Record of Decision; Environmental Assessment Worksheet.

PLANNING COMMISSION/DEPARTMENT
(264417)

Zoning Code Text Amendment: Amending Title 20, Chapter 540 of the Minneapolis Code of Ordinances relating to Zoning Code: Business Districts, allowing indoor theaters as a conditional use in certain downtown districts; findings.

Zoning Code Text Amendment: Planning Dept: Amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, Chapters 538, 540, 542, 550, 551, 552 and 572, prohibiting establishment or expansion of surface parking lots downtown; findings; w/attached drawings & statistics. Allright Parking: Comments.

FILED:

CITY CLERK/SPECIAL PERMITS
(264418)

19th Av S, 904 (Universal Signs) sign; Chicago Av S, 4554 (Suburban Lighting Inc) sign; Main St near St Anthony Main (Mississippi Mile) fireworks, hayrides, etc; Nicollet Mall between Washington Av & 3rd St (Minneapolis Planetarium) fireworks.

FINANCE DEPARTMENT (264419)
Investment Management System & Reconciliation Report thru October 31, 1998.

FINANCE DEPARTMENT (264420)
Schedule of Self-supporting Revenue Bonds & Schedule of General Obligation Bonded Debt for 11/30/98.

MAYOR (264421)
Department of Health and Family Support: Unsigned Council action of 12/4/98 re management structure modifications.

**REPORTS OF
STANDING COMMITTEES**

The **COMMUNITY DEVELOPMENT**
Committee submitted the following reports:

Comm Dev – Your Committee, having under consideration the proposed project of Viking Materials, Inc. and Charles Alen Applegate to construct a 40,000 square foot addition to its existing facility at 3225 Como Ave SE, and the issuance of approximately \$5,000,000 in bonds to finance said project, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution giving preliminary approval to the project and to the issuance of up to \$5,000,000 in Taxable and/or Tax-exempt Development Revenue Bonds, Series 1999, for Viking Materials, Inc. and Charles Alen Applegate through the City of Minneapolis (Petr No 264374).

Your Committee further recommends summary publication of the above-described resolution.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published December 22, 1998)

Resolution 98R-480, giving preliminary approval to a project on behalf of Viking Materials, Inc. and authorizing the issuance of industrial development revenue development bonds of the City of Minneapolis therefor under Minnesota Statutes, Sections 469.152 through 469.165, as amended; referring the proposed project to the Minnesota Department of Trade and Economic Development for approval; and authorizing the preparation of necessary documents, was passed December 18, 1998 by the City Council and approved December 18, 1998 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 98R-480
By Niland

Giving preliminary approval to a project on behalf of Viking Materials, Inc. and authorizing the issuance of industrial development revenue development bonds of the City of Minneapolis therefor under

Minnesota Statutes, Sections 469.152 through 469.165, as amended; referring the proposed project to the Minnesota Department of Trade and Economic Development for approval; and authorizing the preparation of necessary documents.

Whereas, pursuant to Sections 469.152 through 469.165 of the Minnesota Statutes (the "Act"), as amended, the City of Minneapolis (the "City"), is authorized to issue industrial development revenue bonds for the purpose of providing financing for the acquisition, construction and installation of projects consisting of real and personal properties used or useful in connection with a revenue-producing enterprise engaged in manufacturing; and

Whereas, in enacting the Act the Legislature found that the welfare of the State of Minnesota requires the active promotion, attraction, encouragement and development of economically sound industry and commerce to prevent, as far as possible, the emergence of blight and areas of chronic unemployment and to prevent economic deterioration; and

Whereas, other factors necessitating such active promotion and development of industry and commerce within the City are the increasing movement of population and business to suburban areas, the steady and rapid increase in the amount and cost of governmental services required to meet the needs of the City and the need for more intensive development and use of land within the City to provide an adequate tax base to finance these costs; and

Whereas, the promotion, attraction, encouragement and development of economically sound industry and commerce provides employment opportunities for residents of the City and encourages land development, thereby increasing the tax base of the City and overlapping taxing districts; and

Whereas, Viking Materials, Inc., a Minnesota corporation and Charles Allen Applegate (collectively, the "Borrower") have proposed to construct an approximately 36,000 sq. ft. expansion of the existing manufacturing facility located at 3225 Como Avenue SE in the City and to acquire and install new equipment to be used in conducting the steel coil processing operations of the Borrower (the "Project"); and

Whereas, the Borrower has proposed that the City issue one or more series of its industrial development revenue bonds (the "Bonds") for the purpose of financing the Project, including certain incidental expenses thereto, in an approximate aggregate principal amount of \$5,000,000 and the proposal calls for the proceeds realized upon the sale of the Bonds to be applied by the Borrower pursuant to a revenue agreement wherein the Borrower will be obligated to acquire, construct and equip the Project and to make payments under the revenue agreement at the times and in the amounts sufficient to provide for the prompt payment of principal of, premium, if any, and interest on the Bonds and all costs and expenses of the City incident to the issuance and sale of the Bonds; and

Whereas, the City has been advised by representatives of the Borrower that conventional, commercial financing to pay the capital cost of the Project has not been obtained and is available only on a limited basis and at such high costs and on such terms of borrowing that the economic feasibility of constructing and operating the Project would be significantly impaired and could not be undertaken but for the availability of tax-exempt financing and the lower borrowing cost resulting therefor; and

Whereas, the proposed Project consists of real and personal properties to be used in a revenue-producing enterprise engaged in the processing of steel coil and related products, as authorized by the Act; and

Whereas, the undertaking of the proposed Project and the issuance of the Bonds to finance the cost thereof will further promote the public purposes and legislative objectives of the Act by encouraging the location and retention of revenue-producing enterprises within the City and surrounding area, by providing facilities for manufacturing in the City. The Project will also provide additional employment opportunities for residents of the City and surrounding area, and stimulate the development and redevelopment of marginal lands within the City and surrounding area; and

Whereas, the full faith and credit of the City will not be pledged or responsible for the Project or for the payment of the principal of, premium, if any, and interest on the Bonds;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the undertaking of the Project and the issuance by the City of its Bonds pursuant to the Act, in an approximate aggregate principal amount of \$5,000,000 to finance the costs thereof, all as referred to above, is hereby authorized and approved by the City, subject to the approval of the Project by the Minnesota Department of Trade and Economic Development ("DTED") under the Act, and to the agreement of the City, the Borrower and the purchaser of the Bonds on the detailed terms and conditions on which the Project will be acquired and constructed and the Bonds will be issued, sold and secured. The Bonds are hereby designated "Program Bonds" and are determined to be within the "Economic Development Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988.

Be It Further Resolved that in accordance with the Act, the Mayor, President, City Council, Finance Officer, City Clerk are hereby authorized and directed to submit the proposal for undertaking the Project to DTED requesting approval of the Project. The Mayor, President of this Council, Finance Officer, City Clerk and the City Attorney and other officers, employees and agents of the City are hereby authorized to provide DTED such preliminary information as may be required for this purpose. The City Attorney is also authorized in cooperation with Briggs and Morgan, P.A., as bond counsel, to initiate preparation of such documents as may be appropriate to the Project, in order that, when and if the Project is approved by DTED, it may be carried forward expeditiously.

Be It Further Resolved that the adoption of this resolution by the City does not constitute a guarantee or a firm commitment that the City will issue the Bonds as requested by the Borrower. The City reserves the right, in its sole discretion, to withdraw from participation and accordingly not issue any Bonds to finance the Project at any time prior to the adoption of the resolution authorizing the issuance of such Bonds should the City so determine.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

J. Cherryhomes, President of Council.

Approved December 18, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee, having under consideration the proposed project of Nile LLC to acquire, own and operate an existing 256-bed skilled nursing facility at 3720 – 23rd Ave S, currently doing business as Nile Health Care Center, and the issuance of up to \$25,000,000 in bonds to finance said project, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution giving preliminary approval to the project and to the issuance of up to \$25,000,000 in Tax-exempt Revenue Bonds for Nile LLC (Petn No 264374).

Your Committee further recommends summary publication of the above-described resolution.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 98R-481, giving preliminary approval to the issuance of Revenue Bonds on behalf of Nile LLC to finance the costs thereof under Minnesota Statutes, Sections 469.152-469.165, as amended, establishing the date for a public hearing with regard to the issuance of such revenue bonds, authorizing the publication of notice of such public hearing, and establishing compliance with certain reimbursement regulations under the Internal Revenue Code, was passed December 18, 1998 by the City Council and approved December 24, 1998 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 98R-481
By Niland**

Giving preliminary approval to the issuance of Revenue Bonds on behalf of Nile LLC to finance the costs thereof under Minnesota Statutes, Sections 469.152-469.165, as amended, establishing the date for a public hearing with regard to the issuance of such revenue bonds, authorizing the publication of notice of such public hearing, and establishing compliance with certain reimbursement regulations under the Internal Revenue Code.

Section 1. Recitals.

1.01. Minnesota Statutes, Section 469.152-469.165, as amended (the “Act”), was enacted for the purpose, among others, of providing necessary health care facilities, so that adequate health care services are available to residents of the state at reasonable cost. The Act was also enacted to reduce the cost of borrowing by local governments for public purposes.

1.02. Pursuant to the Act, the City of Minneapolis, Minnesota (the “City”), is authorized to issue revenue bonds to finance, in whole or in part, the cost of the acquisition, construction, reconstruction, improvement, betterment, or extension of projects. The term “project” is defined in the Act to include any properties, real or personal, used or useful in connection with a revenue producing enterprise, whether or not operated for profit, engaged in providing health care services. The City is authorized by the Act to loan the proceeds derived from the sale of such revenue bonds to any person under the terms of a revenue agreement, to provide for repayment of the loan on such dates and in such amounts sufficient to pay the principal of and interest on the revenue bonds when due, and to secure the revenue bonds with such other security deemed appropriate. Under the terms of the Act, the revenue bonds so issued by the City are special, limited obligations of the City and do not constitute or give rise to a pecuniary liability of the City or a charge against the general credit or the taxing powers of the City.

1.03. Nile LLC, a Minnesota limited liability company (the “Company”), whose sole member is Shelter Care Foundation, a District of Columbia nonprofit corporation, has proposed that the City issue its revenue bonds pursuant to the Act (the “Bonds”), in an aggregate principal amount not to exceed \$25,000,000, and loan the proceeds derived from the sale of the Bonds to the Company to finance the costs of the acquisition of the 256-bed Nile Health Care Center facility located at 3720 23rd Avenue South within the City (the “Project”).

Section 2. Findings.

The City Council of the City hereby finds that the Project furthers the purposes stated in Section 469.152 of the Act. The City Council of the City further finds that the Project is a

“project” within the meaning of Section 469.153, subd. 2 (d), of the Act.

Section 3. Preliminary Approval.

The City Council of the City hereby preliminarily approves the Project and the issuance of the Bonds in the aggregate principal amount of not to exceed \$25,000,000 to finance all or a portion of the acquisition and related costs of the Project. This preliminary approval is subject to final authorization of the issuance of the Bonds by the City Council of the City.

Section 4. Public Notice and Public Hearing.

4.01. As a condition to the issuance of the Bonds, Section 469.154 of the Act and Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), impose the requirement that the City conduct a public hearing on the proposal to undertake and finance the Project. Pursuant to such requirement, a public hearing was held before the Community Development Committee of this City Council on Thursday, December 10, 1998, at or after 1:30 p.m., in Room 319 of City Hall in the City of Minneapolis, Minnesota. All persons who appeared at the hearing were granted an opportunity to express their views with respect to the proposal to undertake and finance the Project.

4.02. As required by the provisions of Section 469.154 of the Act and Section 147(f) of the Code, notice of the public hearing held on December 10, 1998, was published in Finance & Commerce, the official newspaper of the City and a newspaper of general circulation in the City, at least fourteen days prior to the date of the public hearing. The notice stated the time and place for the public hearing and included: (i) a general, functional description of the type and use of the facilities to be financed and the general nature of the Project; (ii) the maximum aggregate principal face amount of obligations to be issued with respect to the Project; (iii) the initial owner, operator, or manager of the Project; and (iv) the location of the Project.

Section 5. Reimbursement of Costs Under the Code.

5.01. The United States Department of the Treasury has promulgated final regulations governing the use of the proceeds of tax-exempt bonds, all or a portion of which are to be used to reimburse the City, or a borrower

from the City, for project expenditures paid prior to the date of issuance of such bonds. Those regulations, Treasury Regulations, Section 1.150-2 (the “Regulations”), require that the City adopt a statement of official intent to reimburse an original expenditure not later than sixty days after payment of the original expenditure. The Regulations also generally require that the bonds be issued and that the reimbursement allocation made from the proceeds of the bonds occur within eighteen months after the later of: (i) the date the expenditure is paid; or (ii) the date the project is placed in service or abandoned, but in no event more than three years after the date the expenditure is paid. The Regulations generally permit reimbursement of capital expenditures and costs of issuance of the bonds.

5.02. The City reasonably expects to reimburse the Company for the expenditures made for costs of the Project from the proceeds of the Bonds in an estimated maximum aggregate principal amount not exceeding \$25,000,000 after the date of payment of all or a portion of the costs of the Project. All reimbursed expenditures will be capital expenditures, costs of issuance of the Bonds, or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Regulations and also qualifying expenditures under the Act. Based on representations by the Company, no expenditures for the Project have been made by the Company more than sixty days before the date of adoption of this resolution other than: (i) expenditures to be paid or reimbursed from sources other than the Bonds; (ii) expenditures permitted to be reimbursed under prior regulations pursuant to the transitional provision contained in Section 1.150-2 (j) (2) (i) (B) of the Regulations; (iii) expenditures constituting preliminary expenditures within the meaning of Section 1.150-2 (f) (2) of the Regulations; or (iv) expenditures in a “de minimus” amount (as defined in Section 1.150-2 (f) (1) of the Regulations). Based on representations by the Company, as of the date hereof, there are no funds of the Company reserved, allocated on a long-term basis, or otherwise set aside (or reasonably expected to be reserved, allocated on a long-term basis, or otherwise set aside) to provide permanent financing for the expenditures related to the Project to be

financed from proceeds of the Bonds, other than pursuant to the issuance of the Bonds. This resolution, therefore, is determined to be consistent with the budgetary and financial circumstances of the Company as they exist or are reasonably foreseeable on the date hereof.

Section 6. Costs.

The Company will pay, or upon demand reimburse the City for the payment of, any and all costs incurred or paid by the City with respect to the Project and the Bonds, whether or not the Bonds are issued or the Project is financed with the proceeds of the Bonds.

Section 7. Conditional Commitment.

The adoption of this resolution does not constitute a guarantee or firm commitment that the City will issue the Bonds. If, at any time prior to the issuance of the Bonds, it appears to the City Council that the issuance of the Bonds or the financing of the Project is not in the interests of the City, or is inconsistent with the purposes of the Act, the City Council may decline to provide final authorization for the issuance of the Bonds. The City also retains the right, in its sole discretion, to withdraw from participation and accordingly not issue the Bonds should the City Council, at any time prior to the issuance thereof, determine that it is in the best interests of the City not to issue the Bonds or should the parties to the transaction be unable to reach agreement as to the terms and conditions of any of the documents for the transaction.

Section 8. Effective Date.

This resolution shall become effective upon its adoption, approval, and publication.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee, having under consideration the matter of issuing bonds on behalf of Benchmark Healthcare of Minneapolis, Inc. to finance the acquisition, ownership and operation of an existing 94-bed skilled nursing facility at 1620 Oak Park Ave N, currently doing business as Concordia Care Center, and the Council having granted preliminary approval to issue such bonds on November 13, 1998, now recommends passage of the accompanying resolution granting final approval to the issuance of up to

\$3,250,000 in Tax-exempt and Taxable Revenue Bonds for Benchmark Healthcare of Minneapolis, Inc. (Petr No 264374).

Your Committee further recommends summary publication of the above-described resolution.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published December 22, 1998)

Resolution 98R-482, authorizing the issuance and sale of, and providing the form, terms, pledge of revenues, and findings, covenants, and directions relating to the Revenue Bonds (Benchmark Healthcare of Minneapolis, Inc. Project), Series 1998A, and the Taxable Revenue Bonds (Benchmark Healthcare of Minneapolis, Inc. Project), Series 1998B, under Minnesota Statutes, Sections 469.152-469.165, to be issued to finance the acquisition of a nursing home facility to be located in the City, was passed December 18, 1998 by the City Council and approved December 18, 1998 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 98R-482

By Niland

Authorizing the issuance and sale of, and providing the form, terms, pledge of revenues, and findings, covenants, and directions relating to the Revenue Bonds (Benchmark Healthcare of Minneapolis, Inc. Project), Series 1998A, and the Taxable Revenue Bonds (Benchmark Healthcare of Minneapolis, Inc. Project), Series 1998B, under Minnesota Statutes, Sections 469.152-469.165, to be issued to finance the acquisition of a nursing home facility to be located in the City.

Resolved by The City Council of The City of Minneapolis:

Section 1. Background

1.01. Statutory Authorization. The City of Minneapolis (the "City") is authorized by Minnesota Statutes, Sections 469.152 through

469.165, as amended (the "Act"), to issue revenue bonds to finance, in whole or in part, the cost of the acquisition, construction, reconstruction, improvement, betterment, or extension of a "project," defined in the Act as any properties, real or personal, used or useful in connection with a revenue producing enterprise, for the public purposes expressed in the Act.

1.02. The Corporation and the Project.

Benchmark Healthcare of Minneapolis, Inc. is a recently formed Minnesota corporation which is exempt from federal income taxation under Section 501 (a) of the Internal Revenue Code of 1986, as amended (the "Code"), as a result of the application of Section 501 (c)(3) of the Code. The Corporation is proposing to undertake the acquisition of Concordia Care Center, a 94-bed skilled nursing facility located at 1620 Oak Park Avenue North in the City of Minneapolis (the "Project"). The Project will be owned by the Corporation and operated by Eminence Health Care of Minnesota, LLC, a Maryland limited liability company (the "Manager"), pursuant to a management agreement between the Corporation and the Manager.

1.03. The Series 1998 Bonds. The Corporation has requested that the City issue its Revenue Bonds (Benchmark Healthcare of Minneapolis, Inc. Project), Series 1998A (the "Series 1998A Bonds"), in the original aggregate principal amount of \$2,535,000, and its Taxable Revenue Bonds (Benchmark Healthcare of Minneapolis, Inc. Project), Series 1998B (the "Series 1998B Bonds"), in the original aggregate principal amount of \$255,000 (the Series 1998A Bonds and the Series 1998B Bonds are hereinafter collectively referred to as the "Bonds"), under the Act and the terms and conditions of an Indenture of Trust, dated as of December 1, 1998 (the "Indenture"), between the City and a trustee to be determined by the Corporation, and approved by the City (the "Trustee"), to provide permanent financing for the Project. The Bonds are proposed to be sold pursuant to the terms of a Bond Purchase Agreement (the "Purchase Agreement") among the City, the Corporation and Greenwich Partners, LLC (the "Underwriter"). The proceeds derived from the sale of the Bonds will be loaned to the Corporation under the terms of a Loan Agreement, dated as of December 1, 1998 (the

"Loan Agreement"), between the City and the Corporation, and the Corporation will direct the application of the proceeds of the loan to the acquisition of the Project.

1.04. Security for the Bonds. The loan repayments to be made by the Corporation under the Loan Agreement will be fixed so as to produce revenue sufficient to pay the principal of, premium, if any, and interest on the Bonds when due. The City will assign its rights to the basic payments and certain other rights under the Loan Agreement to the Trustee as security for payment of the Bonds under the Indenture. The Corporation will further secure the payment of the Bonds and the interest thereon, by delivering a Mortgage and Security Agreement, dated as of December 1, 1998 (the "Mortgage"), from the Corporation to the City (to be assigned by the City to the Trustee). The interests of the City in the Mortgage will be assigned to the Trustee under the terms of an Assignment of Mortgage and Security Agreement, dated as of December 1, 1998 (the "Assignment of Mortgage"), between the City and the Trustee.

1.05. Documents. Forms of the following documents have been submitted to the Council and are now on file with the City Clerk: (i) the Loan Agreement; (ii) the Indenture; (iii) the Mortgage; (iv) the Assignment of Mortgage; and (v) the Purchase Agreement.

Section 2. Issuance of the Bonds

2.01. Findings. The City Council hereby finds, determines, and declares that:

(a) The issuance and sale of the Bonds, the execution and delivery by the City of the Loan Agreement, the Mortgage, the Assignment of Mortgage, the Indenture, the Purchase Agreement, and the performance of all covenants and agreements of the City contained in the Loan Agreement, the Mortgage, the Assignment of Mortgage, the Indenture, and the Purchase Agreement are undertaken pursuant to the Act.

(b) The Project furthers the purposes stated in Section 469.152 of the Act and constitutes a "project," as defined in Section 469.153, subdivision 2(b) and (d), of the Act.

(c) The loan repayments to be made by the Corporation under the Loan Agreement are fixed to produce revenue sufficient to provide for the prompt payment of principal of, premium, if any, and interest on the Bonds issued under the Indenture when due, and the

Loan Agreement and Indenture also provide that the Corporation is required to pay all expenses of the operation and maintenance of the Project, including, but without limitation, adequate insurance thereon and insurance against all liability for injury to persons or property arising from the operation thereof, and all lawfully imposed taxes and special assessments levied upon or with respect to the Project and payable during the term of the Loan Agreement and Indenture.

(d) As provided in the Loan Agreement and the Indenture, the Bonds shall not be payable from nor charged upon any funds other than the revenue pledged to their payment, nor shall the City be subject to any liability thereon, except as otherwise provided in this paragraph. No holder of any Bonds shall ever have the right to compel any exercise by the City of its taxing powers to pay any of the Bonds or the interest or premium thereon, or to enforce payment thereof against any property of the City except the interests of the City in the Loan Agreement and in the Mortgage, and the revenues and assets thereunder, which will be assigned to the Trustee under the Indenture. The Bonds shall not constitute a charge, lien, or encumbrance, legal or equitable, upon any property of the City, except the interests of the City in the Loan Agreement and the Mortgage, and the revenues and assets thereunder, which will be assigned to the Trustee under the Indenture. The Bonds shall recite that the Bonds are issued pursuant to the Act, and that the Bonds, including interest and premium, if any, thereon, are payable solely from the revenues and assets pledged to the payment thereof, and the Bonds shall not constitute a debt of the City within the meaning of any constitutional or statutory limitations.

2.02. Issuance and Sale of the Bonds.

The City hereby authorizes the issuance of the Bonds, in the principal amount, in the form, and upon the terms and conditions set forth in the Indenture. The aggregate principal amount of the Bonds, the principal amount of Bonds maturing on each maturity date, the interest rates of the Bonds for each maturity date, the date of the documents referenced in this resolution and the Bonds, and the terms of redemption of the Bonds may be established or modified with the approval of the City. The execution and delivery of the Bonds shall be conclusive evidence that the City has approved

such terms as subsequently established or modified. The Bonds are hereby designated "Program Bonds" and are determined to be within the "Health Care Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-402 of the City adopted December 12, 1997. The offer of the Underwriters to purchase the bonds as provided in the Purchase Agreement at the prices established under the terms of the Purchase Agreement, plus accrued interest to the date of delivery at the interest rate or rates specified in the Indenture, is hereby accepted. The Corporation shall pay all fees and commissions due to the Underwriters. The Mayor, City Clerk and Finance Officer are authorized and directed to prepare and execute the Bonds as prescribed in the Indenture and the Bonds shall be delivered to the Trustee for authentication and delivery to the Underwriter. The Finance Officer is hereby authorized to execute and deliver any agreements with any depository institution, including any representation letter or amendment to any existing representation letter, to provide for the registration of the Bonds in book-entry form.

2.03. Approval of Documents. The Loan Agreement, the Mortgage, the Assignment of Mortgage, the Purchase Agreement, and the Indenture are hereby approved in substantially the forms on file with the City on the date hereof. The terms of the Loan Agreement, the Mortgage, the Assignment of Mortgage, the Purchase Agreement, and the Indenture may be established or modified with the approval of the City. The execution and delivery of such documents shall be conclusive evidence that the City has approved such terms as subsequently established or modified. The Mayor, City Clerk, and Finance officer are authorized and directed to execute and deliver the Loan Agreement, the Mortgage, the Assignment of Mortgage, the Purchase Agreement, and the Indenture. Copies of all of the documents necessary to the transaction herein described shall be delivered, filed and recorded as provided herein and in the Loan Agreement and Indenture.

2.04. Disclosure Documents. The City consents to the distribution of a Preliminary Official Statement and an Official Statement prepared with respect to the issuance of the Bonds. The Preliminary Official Statement and

the Official Statement shall recite that the City has not participated in the preparation of the Official Statement nor made any independent investigation of the information contained in the Official Statement, and the City takes no responsibility for the sufficiency, accuracy or completeness of such information. The City hereby approves the execution and delivery of a Continuing Disclosure Agreement, dated as of December 1, 1998 (the "Continuing Disclosure Agreement"), between the Corporation and the Trustee, pursuant to which the Corporation will agree to meet certain continuing disclosure obligations imposed by Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934 (the "Rule"). The Corporation and the Trustee shall acknowledge in the Continuing Disclosure Agreement that the City has undertaken no responsibilities with respect to any reports, notices, or disclosures required under the Continuing Disclosure Agreement or the Rule.

2.05. PILOT Agreement. The Mayor, City Clerk and Finance Officer are hereby authorized and directed to execute and deliver the Payment-in-Lieu-of-Taxes Agreement, dated as of December 1, 1998 (the "PILOT Agreement"), between the City and the Corporation. All of the provisions of the PILOT Agreement, when executed and delivered as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The PILOT Agreement shall be substantially in the form on file with the City which is hereby approved, with such omissions and insertions (including the title, dated date, and effective date thereof) as do not materially change the substance thereof, or as the Mayor, City Clerk and Finance Officer, in their discretion, shall determine, and the execution thereof by the Mayor, City Clerk and Finance Officer shall be conclusive evidence of such determination.

2.06. Certifications of the City. The Mayor, City Clerk, Finance Officer, and other officers, employees, and agents of the City are hereby authorized and directed to prepare and furnish to bond counsel, the Underwriters, and the Trustee certified copies of all proceedings and records of the City relating to the issuance of the Bonds including a certification of this

resolution. Such officers, employees, and agents are hereby authorized to execute and deliver, on behalf of the City, all other certificates, instruments, and other written documents that may be requested by bond counsel, the Underwriter, the Trustee, or other persons or entities in conjunction with the issuance of the Bonds. Without imposing any limitation on the scope of the preceding sentence, such officers, employees, and agents are specifically authorized to execute and deliver one or more financing statements, an arbitrage and rebate certificate, a receipt for the proceeds derived from the sale of the Bonds, an order to the Trustee as to the application of the proceeds of the Bonds, a general certificate of the City, and an Information Return for Tax-Exempt Private Activity Bond Issues, Form 8038.

Section 3. Miscellaneous

3.01. Agreements Binding. All agreements, covenants, and obligations of the City contained in this resolution and in the above-referenced documents shall be deemed to be the agreements, covenants, and obligations of the City to the full extent authorized or permitted by law, and all such agreements, covenants, and obligations shall be binding on the City and enforceable in accordance with their terms. No agreement, covenant, or obligation contained in this resolution or in the above-referenced documents shall be deemed to be an agreement, covenant, or obligation of any member of the City Council, or of any officer, employee, or agent of the City in that person's individual capacity. Neither the members of the City Council, nor any officer executing the Bonds, shall be liable personally on the Bonds or be subject to any personal liability or accountability by reason of the issuance of the Bonds.

3.02. Rights Conferred. Nothing in this resolution or in the above-referenced documents is intended or shall be construed to confer upon any person (other than as provided in the Indenture and the other agreements, instruments, and documents hereby approved) any right, remedy, or claim, legal or equitable, under and by reason of this resolution or any provision of this resolution.

3.03. Validity. If for any reason the Mayor, Finance Officer, City Clerk, or any other officers, employees, or agents of the City

authorized to execute certificates, instruments, or other written documents on behalf of the City shall for any reason cease to be an officer, employee, or agent of the City after the execution by such person of any certificate, instrument, or other written document, such fact shall not affect the validity or enforceability of such certificate, instrument, or other written document. If for any reason the Mayor, Finance Officer, City Clerk, or any other officers, employees, or agents of the City authorized to execute certificates, instruments, or other written documents on behalf of the City shall be unavailable to execute such certificates, instruments, or other written documents for any reason, such certificates, instruments, or other written documents may be executed by a deputy or assistant to such officer, or by such other officer of the City as in the opinion of the City Attorney is authorized to sign such document.

3.04. Effective Date. This resolution shall take effect and be in force from and after its approval and publication. Immediate publication of this resolution is hereby authorized.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

J. Cherryhomes, President of Council.

Approved December 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee, having under consideration a proposal by the Governmental and Educational Assistance Corporation (GEAC), a newly formed non-profit corporation, to finance the acquisition of the Seward Square Apartments located at 2121 S 9th St, and the issuance of bonds for said project, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution giving preliminary approval to the issuance of up to \$5,600,000 in 501(c)(3) Tax-exempt and/or Taxable Multifamily Housing Revenue Bonds for the Seward Square project (Petn No 264374).

Your Committee further recommends summary publication of the above-described resolution.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 98R-483, approving a Multifamily Housing Development Program for a project known as the Seward Square Apartments to be acquired by a limited liability company whose sole member is Governmental and Educational Assistance Corporation and giving preliminary approval to the issuance of tax-exempt and/or taxable multifamily housing revenue bonds was passed December 18, 1998 by the City Council and approved December 24, 1998 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 98R-483
By Niland

Approving a Multifamily Housing Development Program for a project known as the Seward Square Apartments to be acquired by a limited liability company whose sole member is Governmental and Educational Assistance Corporation and giving preliminary approval to the issuance of tax-exempt and/or taxable multifamily housing revenue bonds.

Whereas, pursuant to the Minnesota Municipal Housing Act, Minnesota Statutes, Chapter 462C, as amended (the "Housing Act"), the City of Minneapolis, Minnesota (the "City") is authorized to adopt a housing plan and carry out programs for the financing of multifamily housing developments for persons of low and moderate income; and

Whereas, the Act requires adoption of a housing finance program after a public hearing held thereon for which notice was published in a newspaper of general circulation within the City's jurisdiction at least fifteen (15) days in advance of the hearing; and

Whereas, pursuant to a Multifamily Housing Development Program in substantially the form described as the "Program" the City proposes to finance the acquisition and rehabilitation by Governmental and Educational Assistance Corporation, or a limited liability company in which it is the sole member (the "Owner") of an interest in a qualified residential rental project known as the "Seward Square Apartments" located at 2121 South 9th Street in the City (the "Project") for the purpose of

preserving the Project as low income housing for the remaining term of a Section 8 HAP Contract in effect for the Project; and

Whereas, the Program provides for the issuance of approximately \$5,600,000 tax-exempt and/or taxable 501(c)(3) revenue bonds (the "Bonds"); and

Whereas, the Program was submitted to the Metropolitan Council at or before the time of publication of notice of the public hearing on such Program, and the Metropolitan Council was afforded an opportunity to present comments at the public hearing, all as required by the Act; and

Whereas, on the date hereof, the Community Development Committee of the City Council of the City has conducted a public hearing regarding the Program for which fifteen day's notice was duly published in a newspaper of general circulation in the City's jurisdiction; and

Whereas, it is proposed that the Program be approved and the City Council of the City be authorized to issue Bonds for the Project subject to final approval;

Now, Therefore, Be It Resolved by The City Council of the City of Minneapolis:

That the Program is hereby approved and adopted in all respects.

Be It Further Resolved that the Mayor and Finance Officer of the City or their designees and the staff of the Minneapolis Community Development Agency ("MCDA") are hereby authorized and directed to take such actions as may be necessary or convenient to carry out the Program.

Be It Further Resolved that the issuance of the Bonds pursuant to the Program shall be subject to final determination by the City of terms and conditions thereof. The approval of the Program shall not constitute an irrevocable commitment on the part of the City to issue the Bonds.

Be It Further Resolved that the law firm of Leonard, Street and Deinard is hereby authorized to act as Bond Counsel to assist with the preparation of the Program and with the preparation of any other documents necessary with respect to the issuance of Bonds in connection with the Program.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee, having under consideration the development of Block E and the request of Brookfield Management Services LLC and McCaffery Interests, Inc., to extend the "Sunset Date" as defined in Section 3.4 of the Contract for Private Redevelopment by and among the Minneapolis Community Development Agency (MCDA), the City of Minneapolis, and Minneapolis Square LLC, dated March 30, 1998, and as assigned to Brookfield Management Services LLC, to May 31, 1999, now recommends concurrence with the recommendation of the MCDA that said request be approved, and that the proper City officers be authorized to execute documents required for such extension.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 9; Nays, 4 as follows:

Yeas – Johnson, Thurber, Ostrow, Campbell, Biernat, Niland, Colvin Roy, Herron, Cherryhomes.

Nays – Mead, Minn, McDonald, Goodman.
Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee, having under consideration the unused portion of the 1998 tax-exempt bonding allocation, now recommends passage of the accompanying resolution authorizing carry forward into 1999 of the unused private activity bond volume cap, and that it be designated for single family housing purposes.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-484

By Niland

Authorizing Carryforward of Unused Private Activity Bond Volume Cap.

Whereas, the City of Minneapolis, Minnesota (the "City") is an "entitlement issuer" within the meaning of Minnesota Statutes, Section 474A.02, subd. 7; and

Whereas, the City's entitlement allocation for 1998 under Minnesota Statutes, Chapter 474A.03, subd. 2a(3) is \$21,070,000; and

Whereas, the City has heretofore used

\$5,000,000 of its 1998 entitlement allocation for mortgage credit certificates and has authorized the Minneapolis/Saint Paul Housing Finance Board (the "Joint Board") to use a portion of the remaining allocation for single family mortgage revenue bonds to be issued in December; and

Whereas, the City may, under § 146(f) of the Internal Revenue Code of 1986, as amended, and under Minnesota Statutes, Chapter 474A, "carryforward" all or a portion of the City's unused entitlement allocation for the year 1998; and

Whereas, it is in the best interest of the public health, safety and welfare that the City "carryforward" for qualified mortgage bonds and/or mortgage credit certificates any part of its entitlement allocation which remains unused at the end of 1998;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

1. The City hereby elects to carryforward any part of the City's 1998 entitlement allocation awarded to the City pursuant to Minnesota Statutes, Chapter 474A which remains unused following the issuance of mortgage revenue bonds by the Joint Board in December, for the purposes of qualified mortgage bonds and/or mortgage credit certificates.

2. The Executive Director of the Minneapolis Community Development Agency is hereby authorized and directed to execute and cause to be filed with the Internal Revenue Service a Form 8328 specifying the amount of entitlement allocation carried forward by the City from the year 1998, and further specifying that such amount be carried forward for the purposes of qualified mortgage bonds or mortgage credit certificates. A copy of said Form 8328 shall be provided to the Minnesota Department of Finance in accordance with Minnesota Statutes, Chapter 474A. The Form 8328 shall be filed with the Internal Revenue Service on or before December 31, 1998 and with the Minnesota Department of Finance on or before the last Monday in December, 1998.

3. Any amount carried forward for the purposes of qualified mortgage bonds and/or mortgage credit certificates may be utilized by the Joint Board pursuant to the current single family housing finance program approved by the City pursuant to Minnesota Statutes, Chapter 462C. The proceeds of bonds or mortgage credit certificates issued by the

Minneapolis/Saint Paul Housing Finance Board may be applied without regard to jurisdictional boundaries as provided in Minnesota Statutes, Section 462C.12, subd. 3.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee, having under consideration the development of a revitalization program for commercial corridors, as expressed in the 1999 City Goals, the Shared Agenda/Action Plan and Priorities '99, and the recommendations of the Planning Department's interdepartmental Commercial Corridor Revitalization Work Team as set forth in Petn No 264375, now recommends approval of the selection of Central Avenue and Franklin Avenue for application of a concentrated revitalization program in 1999.

Niland moved that the report be postponed. Seconded.

Adopted upon a voice vote.

The **COMMUNITY DEVELOPMENT** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

Comm Dev & W&M/Budget – Your Committee, having under consideration the proposed Humboldt Greenway Redevelopment Plan, which establishes the Humboldt Greenway Redevelopment Project and describes property to be acquired, establishes a preliminary budget for the project and authorizes public redevelopment activities necessary to prepare the site for redevelopment for the area approximately 30 acres in size and roughly located along Humboldt Ave N between 46th Ave N and 53rd Ave N and along 50th Ave N between Humboldt Ave N and Dupont Ave N, now recommends passage of the accompanying resolutions:

a) Adopting the Humboldt Greenway Redevelopment Plan; and

b) Endorsing the creation of the Humboldt Greenway Steering Committee to guide the development of the Humboldt Greenway project.

Your Committee further recommends that this action be transmitted to the Board of

Commissioners of the Minneapolis Community Development Agency.

Johnson moved to amend the resolution endorsing the creation of the Humboldt Greenway Steering Committee by adding in the Composition section the words "District #1" after "Hennepin County Commissioner" and by adding "Other Camden resident." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-485

**By Niland, Campbell,
Johnson, Ostrow, Biernat,
Cherryhomes, Goodman,
Herron, Thurber, McDonald,
Mead, Colvin Roy, Minn**

**Adopting the Humboldt Greenway
Redevelopment Plan.**

Resolved by The City Council of The City of Minneapolis:

Section 1. Recitals.

1.1. Pursuant to Laws of Minnesota 1980, Chapter 595, as amended, and the Minneapolis Code of Ordinances, Chapter 422, as amended (the "Agency Laws") the Housing and Redevelopment Authority in and for the City of Minneapolis has been reorganized, granted additional powers, and designated the Minneapolis Community Development Agency (the "Agency") with the authority to propose and implement city development districts, redevelopment projects and tax increment financing districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.047, and 469.174 through 469.179 as amended; and Laws of Minnesota 1971, Chapter 677 (the "Project Laws").

1.2. It has been proposed that the Agency adopt the Humboldt Greenway Redevelopment Plan (the "Plan") to establish the Humboldt Greenway Redevelopment Project, all pursuant to and in accordance with Minnesota Statutes, Sections 469.001 through 469.047.

1.3. The Agency has caused to be prepared, and this Council has investigated the

facts with respect thereto, a proposed Humboldt Greenway Redevelopment Plan describing more precisely the property that may be acquired, establishing a preliminary budget for the project and authorizing public redevelopment activities necessary to prepare the site for redevelopment.

1.4. The Agency and the City have performed all actions required by law to be performed prior to the adoption of the Humboldt Greenway Redevelopment Plan including, but not limited to, a review of the proposed Plan by the affected neighborhood groups and the Planning Commission of the City of Minneapolis, transmittal of the proposed Plan at least thirty days prior to a public hearing of the proposed Plan to the Hennepin County Board of Commissioners and the School Board of Special School District No. 1 for their review and comment, and the holding of a public hearing upon published and mailed notice as required by law.

**Section 2. Findings for the Adoption of
the Plan.**

2.1. The Council hereby determines that it is necessary and in the best interest of the City at this time to approve the Humboldt Greenway Redevelopment Plan to reflect the identification of property that may be acquired within the project area.

2.2. The Council further finds, determines, and declares that the Humboldt Greenway Redevelopment Plan conforms to the general plan for the development of the City as a whole. Written comments of the Planning Commission and Ways & Means/Budget Committee of the City Council with respect to the Plan were issued and incorporated herein by reference, and are on file in the office of the City Clerk in the form of a petition.

2.3. The Council further finds, determines, and declares that the Humboldt Greenway Redevelopment Plan will afford maximum opportunity, consistent with the needs of the City as a whole, for the redevelopment of the Project Area by private enterprise.

2.4. The Council further finds, determines and declares that the proposed development or redevelopment of housing and other improvements proposed to be constructed within the Humboldt Greenway Redevelopment Project Area would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future absent

the approval of the Plan, since the project area has been experiencing declining property values for years due to the blighting influences caused by inadequate design.

2.5. The Council further finds, determines and declares that the land in the Humboldt Greenway Redevelopment Project would not be made available for redevelopment without the financial aid to be sought since the public improvements and reduction in the cost of some of the Redevelopment Property are necessary in order to permit the construction of a redesigned parkway and certain housing units upon the Redevelopment Property as proposed.

2.6. The Council further finds, determines and declares that the actions authorized by the Humboldt Greenway Redevelopment Plan are all pursuant to and in accordance with the Project Laws.

2.7. The Council hereby finds, determines, and declares that: (i) the public notice required by Minnesota Statutes, Section 469.028, subd. 1, was published in a newspaper of general circulation in the City at least ten days but not more than thirty days prior to the date of the public hearing required by Minnesota Statutes, Section 469.028, subd. 1; (ii) the public hearing required by Minnesota Statutes, Section 469.028, subd. 1, was held on the date and at the place set forth in the public notice; and (iii) all procedural requirements imposed by applicable statute, ordinance, resolution, or policy with respect to the Humboldt Greenway Redevelopment Plan have been complied with by the Agency and the City.

Section 3. Approval of the Plan.

3.1. Based upon the findings set forth in Section 2 hereof, the Humboldt Greenway Redevelopment Plan presented to the Council on this date is hereby approved and shall be placed on file in the office of the City Clerk.

Section 4. Implementation of the Plan.

4.1. The consultants, counsel, officers and staff of the City and the Agency are authorized and directed to proceed with the implementation of the Humboldt Greenway Redevelopment Plan and for this purpose to negotiate, draft, prepare and present to this Council for its consideration, as appropriate, all further plans, resolutions, documents and contracts necessary for this purpose.

4.2. The staff of the City and the Agency are hereby authorized and directed to file a

copy of the Plan (together with any necessary or appropriate additional documents or information) with the Department of Revenue of the State of Minnesota.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-486

**By Niland, Campbell,
Johnson, Ostrow, Biernat,
Cherryhomes, Goodman, Herron, Thurber,
McDonald, Mead, Colvin Roy, Minn**

Endorsing the creation of the Humboldt Greenway Steering Committee to guide the development of the Humboldt Greenway project.

Whereas, the City of Minneapolis, Minneapolis Community Development Agency (MCDA) and Hennepin County have committed to the design, construction and redevelopment of the Humboldt Greenway project; and

Whereas, a partnership of various agencies is needed to facilitate the necessary connections between the neighborhoods, parks, roads, schools and new housing development;

Now, Therefore Be It Resolved by The City Council of The City of Minneapolis:

That the Minneapolis City Council endorse the creation of the Humboldt Greenway Steering Committee to guide the redevelopment of the Humboldt Greenway project as follows:

1. Composition:

The Steering Committee shall be composed of representatives of the following:

Fourth Ward City Council Member;
MCDA Executive Director;
Minneapolis City Coordinator;
Hennepin County Commissioner District

#1;

Other Camden resident;
Hennepin Community Works;
Hennepin County Public Works;
Hennepin County Parks;
Minneapolis Public Schools;
Minneapolis Park Board;
Minneapolis Planning Department;

Minneapolis Planning Commission;
Minneapolis Public Works;
Shingle Creek Neighborhood;
Lind Bohanon Neighborhood;
University of Minnesota Design Center;
Legislative Delegates.

2. Charge:

The Steering Committee shall be responsible for providing leadership and public commitment to the Humboldt Greenway project.

3. Project Implementation Staffing:

Project implementation shall be staffed primarily by MCDA and Hennepin Community Works (HCW) staff. The MCDA shall be the lead agency for all housing development implementation, and HCW shall be the lead agency for all public infrastructure development.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration a proposal to issue revenue bonds on behalf of Discount Steel, Inc., located at 2611 N 2nd St and 216 – 27th Ave N, to finance the purchase of the building at 2611 N 2nd St which they currently lease and to make certain improvements, landscape around the building and purchase manufacturing equipment, and having held a public hearing thereon, now recommends passage of the accompanying resolution granting preliminary approval to the issuance of up to \$2,750,000 in Tax-exempt and Taxable Minneapolis Community Development Agency (MCDA), Limited Tax Supported Development Revenue Bonds, Common Bond Fund, Series 1999, for Discount Steel, Inc., to be issued through the Minneapolis Common Bond Fund and designating the Bonds as bonds entitled to the security provided by Ordinance No 87-Or-084, Tax Reserve and Pledge Ordinance (Petr No 264376).

Your Committee further recommends, pursuant to MCDA Resolution No 87-171M adopted by the Board of Commissioners of the MCDA on July 16, 1987, that these Common

Fund Bonds be designated, if and when issued, as bonds entitled to the Security provided by said Ordinance No 87-Or-084.

Your Committee further recommends summary publication of the above-described resolution.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 98R-487, giving preliminary approval to and authorizing a project on behalf of Discount Steel, Inc., and authorizing the issuance of revenue bonds or notes of the Minneapolis Community Development Agency therefor, payable primarily from revenues derived pursuant to a revenue agreement was passed December 18, 1998 by the City Council and approved December 24, 1998 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 98R-487
By Niland and Campbell

Giving preliminary approval to and authorizing a project on behalf of Discount Steel, Inc., and authorizing the issuance of revenue bonds or notes of the Minneapolis Community Development Agency therefor, payable primarily from revenues derived pursuant to a revenue agreement.

Whereas, the City Council, by Ordinance No. 81-Or-017, as amended by Ordinance No. 82-Or-076, reorganized and renamed the Housing and Redevelopment Authority in and for the City of Minneapolis as the Minneapolis Community Development Agency (the "Former Agency"), and granted additional powers and duties pursuant to Minnesota Laws of 1980, Chapter 595; and

Whereas, the City Council, by Ordinance No. 86-Or-035, renamed the Former Agency as

the Minneapolis Public Housing Authority in and for the City of Minneapolis and created a new public corporation named the Minneapolis Community Development Agency (the "Agency") to which it granted the development powers of the Former Agency and to which it extended the development obligations of the Former Agency; and

Whereas, pursuant to Minnesota Laws of 1980, Chapter 595, Ordinance No. 81-Or-017, as amended, and Ordinance No. 86-Or-035, as amended, of the City Council and Minnesota Statutes, Sections 469.152 through 469.1651 (collectively, the "Act"), the Agency is authorized to issue revenue bonds or notes for the purpose of providing financing for the acquisition, construction, rehabilitation and installation of projects consisting of real and personal properties used or useful in connection with a revenue producing enterprise engaged in any business; and

Whereas, by Resolution No. 82-512, adopted by the Former Agency on December 15, 1982, as amended, the Former Agency established a certain common bond fund and provided for the issuance from time to time by the Agency of economic development revenue bonds to be secured thereby ("Common Fund Bonds"); and

Whereas, pursuant to Ordinance No. 86-Or-035, as amended by the Minneapolis City Council on June 27, 1986, the Agency has authority to issue Common Fund Bonds and is the successor to the Former Agency for purposes of Common Fund Bonds; and

Whereas, Discount Steel, Inc., a Minnesota corporation (the "Company"), has proposed to acquire, renovate and equip an approximately 96,000 square foot building to be used for the Company's steel and aluminum product processing purposes and located at 2611 North Second Street in the City of Minneapolis (the "Project"); and

Whereas, the Company has proposed that the Agency finance the Project by the issuance of its Common Fund Bonds under the Act, in the approximate amount of \$2,750,000 (the "Bonds"); and

Whereas, the City Council has been advised that in accordance with the Act, a public hearing on the proposal to finance the Project has been conducted by the Community Development Committee of the City Council on behalf of the Agency, preceded by notice

thereof as required by the Act, and at such public hearing all parties were given an opportunity to express their views with respect to the proposed undertaking and financing of the Project; and

Whereas, the City Council has been further advised that the proposed bond issue has been submitted to the Mayor and the Planning Commission of the City of Minneapolis at least fourteen (14) days prior to consideration hereof; and

Whereas, the Agency, by resolution adopted or to be adopted on the date hereof, has or will give preliminary approval to the Project in accordance with the Act;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council hereby gives preliminary approval to the Project and the issuance by the Agency of its Bonds pursuant to the Act for the purpose of financing the Project in the aggregate sum of \$2,750,000 or such other amount approved by the Agency not exceeding such sum by more than ten percent (10%).

Be It Further Resolved that this approval by Ordinance No. 86-Or-035, as amended, of the City Council is hereby given as required.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration a study of the Minneapolis Community Development Agency's (MCDA) Assistant Development Counsel job classification, now recommends concurrence with the findings, conclusions and recommendations of the MCDA's labor relations consultant, as set forth in Petn No 264376, and further recommends passage of the accompanying resolution increasing the 1999 MCDA appropriation resolution in Fund GEN0 (MCDA General Fund) by \$12,179 and increasing Fund CAD0 (Tax Increment) by \$30,226 to fund salary and benefit adjustments.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.
Approved December 24, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 98R-488
By Niland and Campbell

**Amending The 1999 Minneapolis
Community Development Agency
Appropriation Resolution.**

Resolved by The City Council of The City
of Minneapolis:

That the above-entitled resolution be
amended as follows:

a) Increasing the appropriation in Fund
GEN0 – MCDA General Fund by \$12,179 from
projected fund balance;

b) Increasing the appropriation in Fund
CAD0 – Tax Increment by \$30,226 from
projected fund balance.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your
Committee, having under consideration the
approved basic business terms and financing
plan for a restated redevelopment contract with
Ryan Properties, Inc., for the phased
redevelopment of Block 34, also known as the
“900 Nicollet Block,” which includes in the first
phase a two-level Target department store,
additional retail along the Nicollet Mall frontage
and skyway corridor, a below grade municipal
parking garage and related skyway
connections and street scape improvements,
and in the second phase provides for, but does
not require, an office building to be constructed
in air rights over portions of the parking ramp
and Target store, and further having under
consideration the request of the Minneapolis
Community Development Agency to approve a
resolution relating to the issuance of General
Obligation Tax Increment Bonds, Series 1998,
in the original aggregate principal amount not to
exceed \$35,000,000 and a Limited Revenue
Tax Increment Note in the original aggregate
principal amount of \$20,000,000, now
recommends –

Comm Dev – that said request be
forwarded without recommendation.

W&M/Budget – passage of the above-
described resolution.

Campbell moved to amend the report to
delete the Community Development Committee
recommendation and to approve the Ways &
Means/Budget Committee recommendation.
Seconded.

Adopted. Yeas, 10; Nays, 3 as follows:

Yeas – Mead, Minn, Johnson, Thurber,
Ostrow, Campbell, Biernat, Colvin Roy, Herron,
Cherryhomes.

Nays – McDonald, Niland, Goodman.

The report, as amended, was adopted.

Yeas, 10; Nays, 3 as follows:

Yeas – Mead, Minn, Johnson, Thurber,
Ostrow, Campbell, Biernat, Colvin Roy, Herron,
Cherryhomes.

Nays – McDonald, Niland, Goodman.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-489
By Campbell

**Relating to the development and
redevelopment of Development District No.
57 and the financing of certain capital and
administration costs; providing the form,
terms, pledge of revenues, and findings,
covenants, and directions relating to the
General Obligation Tax Increment Bonds,
Series 1998, to be issued by the City of
Minneapolis, in the original aggregate
principal amount not to exceed \$35,000,000,
and a Limited Revenue Tax Increment Note,
to be issued by the City of Minneapolis in
the original aggregate principal amount not
to exceed \$20,000,000.**

Resolved by The City Council of The City
of Minneapolis:

Section 1. Background

1.01. The Development District. Pursuant
to Minnesota Statutes, Sections 469.124-
469.134, as amended (the “Development
District Act”), the City of Minneapolis (the
“City”) established the South Nicollet Mall
Development District (the “Development
District”) and adopted the South Nicollet Mall
Development Program to provide for the

development and redevelopment of the Development District. The following development objectives have been established with respect to the Development District: (i) strengthen retailing along Nicollet Mall through mixed-use development of a major mid-price retail store with office space above the store; (ii) provide for parking facilities supporting the retail district; (iii) maintain and enhance pedestrian linkages between the retail and convention districts with the Development District; and (iv) redevelop blighted or functionally obsolete commercial facilities. On November 8, 1996, the City Council of the City (the "City Council") selected Ryan Properties, Inc., a Minnesota corporation (the "Redeveloper") to undertake the development and redevelopment of Block 34 of the Development District, sometimes referred to as the "900 Block."

1.02. Redevelopment Contract. On March 7, 1997, in order to provide for the development of Block 34 of the Development District, the City Council authorized the Minneapolis Community Development Agency (the "Agency") to enter into a redevelopment contract with the Redeveloper. The Contract for Private Redevelopment, dated April 24, 1997 (the "Original Redevelopment Contract"), was executed by the Agency and the Redeveloper. On June 26, 1998, as a result of changes to the proposed development and redevelopment of Block 34, the City Council and the Board of Commissioners of the Agency approved the basic business terms and financing plan for a restated redevelopment contract with the Redeveloper providing for a phased redevelopment of Block 34. The first phase will include a two-level Target store (the "Retail Center"), additional retail shops along the Nicollet Mall frontage and skyway corridor (the "Additional Retail"), a below-grade municipal parking garage (the "Public Parking Garage"), and related skyway connections (the "Skyway Bridges" and "Skyway Corridors") and streetscape improvements ("Streetscape"). The second phase provides for, but does not require, an office building to be constructed above the Public Parking Garage and Retail Center (the "Office Tower"). The Agency and the Redeveloper have prepared an Amended and Restated Contract for Private Redevelopment (the "Amended Redevelopment Contract") to be executed by

the Agency and the Redeveloper substantially in the form on file with the City on the date hereof.

1.03. The Finance Plan. The approved finance plan, with respect to the estimated capital and administration costs and public redevelopment costs for the development and redevelopment of Block 34 in the Development District, provides for the issuance by the City of variable-rate general obligation bonds (the "General Obligation Bonds"), in one or more series, in the original aggregate principal amount not to exceed \$35,000,000, and the issuance by the City of a fixed-rate tax increment revenue note (the "Revenue Note"), in the original aggregate principal amount not to exceed \$20,000,000. Payment of the principal of, premium, if any, and interest on the General Obligation Bonds will be secured by the full faith and credit of the City and, to the extent necessary for this purpose, the City will levy taxes on all taxable property in the City without limitation as to rate or amount. The General Obligation Bonds are expected to be paid from: (i) net revenues derived from the Public Parking Garage (excluding the portion of the Public Parking Garage, the highest level, to be leased to the owner of the Retail Center (the "Retail Customer Parking Space")); and (ii) tax increment revenues derived from the Piper Tower Tract (the parcels at 800 Nicollet Mall on which the Piper Jaffray Center is being constructed), the Target Office Tract (the parcels at 1000 Nicollet Mall on which the Target Headquarters Office Tower has been constructed), and the Redevelopment Property (the parcels at 900 Nicollet Mall on which the Retail Center, Additional Retail, Public Parking Garage, Skyway Bridges and Skyway Corridors, and the Office Tower are to be constructed) (collectively, the "Tax Increment Revenues").

The Revenue Note will be secured by: (i) the portion of the Tax Increment Revenues expressly pledged to payment of the Revenue Note under the terms and conditions set forth in the Amended Redevelopment Contract and in the form of Revenue Note set forth in EXHIBIT D to the Amended Redevelopment Contract (the "Available Tax Increment Revenues"); (ii) certain other revenues and funds expressly pledged to payment of the Revenue Note under the terms and conditions set forth in the Amended Redevelopment Contract and in the

form of Revenue Note set forth in EXHIBIT D to the Amended Redevelopment Contract (the "Additional Funds"); and (iii) a contingent limited general obligation pledge of the City to be provided under the circumstances described below in Section 3 of this Resolution.

Section 2. Issuance of the General Obligation Bonds

2.01. Findings of the City. The City Council hereby finds, determines, and declares that the issuance and delivery of the General Obligation Bonds under the terms and conditions, and for the purposes, set forth in this resolution: (i) are authorized by the Development District Act, and by Minnesota Statutes, Sections 469.174-469.179, as amended (the "Tax Increment Act"), and by Minnesota Statutes, Chapter 475, as amended; (ii) are consistent with the purposes and goals of the City and the Development Program; (iii) will further the development and redevelopment purposes for which the Development District and Tax Increment Financing District No. 62 and Tax Increment Financing District No. 63 (the "Tax Increment Districts") were established; and (iv) are in the best interests of the City and the Agency. The City Council also hereby finds, determines, and declares that the Tax Increment Revenues to be derived from the Tax Increment Districts will exceed twenty percent of the capital and administration costs and the public redevelopment costs of the Development District undertaken pursuant to the Amended Redevelopment Contract.

2.02. Issuance and Sale of the General Obligation Bonds. The City Council hereby authorizes the issuance of the General Obligation Bonds by the City, in the original aggregate principal amount not to exceed \$35,000,000, on such date and upon the terms and conditions determined by the Finance Officer of the City (the "Finance Officer"). This authorization to issue the General Obligation Bonds is effective without any additional action of the City Council and shall be undertaken by the Finance Officer on such date and upon the terms and conditions deemed reasonable by the Finance Officer. The City Council hereby authorizes the sale of the General Obligation Bonds to the underwriter hereinafter selected by the Finance Officer to purchase the General Obligation Bonds (the "Underwriter") upon the offer of the Underwriter to purchase the General Obligation Bonds in accordance with

the terms of the Bond Purchase Agreement (the "Bond Purchase Agreement") between the City and the Underwriter.

2.03. General Obligation Bonds

Documents. There have been presented to the City Council forms of the following documents: (i) the Trust Indenture, dated as of February 1, 1999 (the "Indenture"), between the City and Norwest Bank Minnesota, National Association, as trustee (the "Trustee"); (ii) the Standby Bond Purchase Agreement, dated as of February 1, 1999 (the "Liquidity Facility"), between the City and Bayerische Vereinsbank AG (or other Liquidity Facility provider selected by the Finance Officer); (iii) the Tender Agent Agreement, dated as of February 1, 1999 (the "Tender Agent Agreement"), between the City and Norwest Bank Minnesota, National Association, as tender agent (the "Tender Agent"); (iv) the Remarketing Agreement, dated as of February 1, 1999 (the "Remarketing Agreement"), between the City and the Underwriter; (v) the Bond Purchase Agreement; and (vi) the Pledge Agreement, dated as of February 1, 1999 (the "Pledged Agreement"), between the City and the Agency. The Indenture, the Liquidity Facility, the Tender Agent Agreement, the Remarketing Agreement, the Bond Purchase Agreement, and the Pledge Agreement are hereby approved in substantially the forms on file with the City on the date hereof, subject to such changes not inconsistent with this resolution and applicable law that are approved by the Finance Officer of the City. Without limiting the generality of the foregoing, the Finance Officer is authorized to approve changes in the original aggregate principal amount of the General Obligation Bonds, in the terms of redemption, the principal amounts subject to redemption, and the dates of redemption of the General Obligation Bonds, and the other terms of the General Obligation Bonds. The issuance and delivery of the General Obligation Bonds shall be conclusive evidence that the Finance Officer has approved any changes to the forms on file with the City on the date hereof.

2.04. Terms of the General Obligation Bonds. The General Obligation Bonds shall have the maturities, interest rate provisions, shall be dated, numbered, and issued in such denominations, shall be subject to mandatory and optional redemptions and prepayment prior to maturity, shall be executed, sealed, and

authenticated in such manner, shall be in such form, and shall have such other details and provisions as are prescribed in the Indenture. The forms of the General Obligation Bonds included in the Indenture are approved in substantially the forms in the Indenture, subject to such changes not inconsistent with this Resolution and applicable law, and subject to such changes that are approved by the Finance Officer. Without limiting the generality of the foregoing, the Finance Officer is authorized to approve changes in the original aggregate principal amount of the General Obligation Bonds, in the terms of redemption, the principal amounts subject to redemption, and the dates of redemption of the General Obligation Bonds, and the other terms of the General Obligation Bonds. The issuance and delivery of the General Obligation Bonds shall be conclusive evidence that the Finance Officer has approved any changes to the forms of the General Obligation Bonds on file with the City on the date hereof. The proceeds derived from the sale of the General Obligation Bonds shall be held, transferred, expended, and invested in accordance with the terms of the Indenture and the earnings from all investments of the proceeds of the General Obligation Bonds shall be held, transferred, expended, and invested in accordance with the terms of the Indenture.

2.05. Pledge of Full Faith and Credit. The full faith and credit of the City are irrevocably pledged for the prompt and full payment of the principal of, premium, if any, and interest on the General Obligation Bonds when due. It is hereby estimated that the net revenues derived from the Public Parking Garage, the Tax Increment Revenues derived from the Tax Increment Districts, the earnings derived from the investment of the foregoing, and other revenues available to pay the principal of, premium, if any, and interest on the General Obligation Bonds, and expected to be applied to the payment of the principal of, premium, if any, and interest on the General Obligation Bonds, pursuant to the terms of the Indenture, will produce amounts at least five percent in excess of the amount needed to meet the principal and interest payments when due on the General Obligation Bonds, but the City shall levy, in addition to all other taxes, a direct tax upon all taxable property in the City without limitation as to rate or amount, if necessary, to pay the principal of and interest on the General Obligation Bonds when due.

2.06. Revenues to be applied to the General Obligation Bonds. The City Council hereby authorizes the application of the net revenues derived from the Public Parking Garage to the payment of the debt service on the General Obligation Bonds and hereby appropriates such revenues to such purpose in accordance with the terms of the Indenture and to the extent the Finance Officer, in the discretion of the Finance Officer, determines to apply such revenues to such purpose. The City Council hereby authorizes the application of the Tax Increment Revenues derived by the Agency and the City from the Tax Increment Districts to the payment of the debt service on the General Obligation Bonds, subject to any valid and superior prior pledges of such revenues and the pledge of such Tax Increment Revenues to the payment of the debt service on the Revenue Note (in accordance with the terms of the Amended Redevelopment Contract and the terms of the Revenue Note), and hereby appropriates such Tax Increment Revenues to such purpose in accordance with the terms of the Indenture and to the extent the Finance Officer, in the discretion of the Finance Officer, determines to apply such revenues to such purpose. The City Council hereby authorizes the Agency and the City to pledge and appropriate Available Tax Increment Revenues and Additional Funds to the payment of the principal of, premium, if any, and interest on the Revenue Note (and related expenses of the Agency) in accordance with the terms and conditions of the Amended Redevelopment Contract and the Revenue Note.

2.07. Conversion to Fixed Rates and Other Elections. The Finance Officer is hereby authorized to elect a conversion of the General Obligation Bonds from variable-rate obligations to fixed-rate obligations in accordance with the terms of the Indenture on such date or dates and upon such terms and conditions as the Finance Officer determines in his discretion. The Finance Officer may elect a conversion without any additional authorization from the City Council. The Finance Officer is also hereby authorized to make all other elections with respect to the General Obligation Bonds and the Revenue Note on such date or dates and upon such terms and conditions as the Finance Officer determines in his discretion. Such elections may be made by the Finance Officer without any additional authorization from the City Council.

2.08. Representation Letter. The form of Representation Letter proposed to be submitted to DTC, which is on file with the Finance Officer, is hereby approved, and the Finance Officer is authorized to execute and deliver the Representation Letter in substantially the form on file, with such changes therein not consistent with the law as the Finance Officer may approve, which approval shall be conclusively evidenced by the execution thereof. Any Paying Agent or Bond Registrar subsequently appointed by the City with respect to the General Obligation Bonds shall agree to take all actions necessary to ensure compliance with all representations of the City in the Representation Letter with respect to the Bond Registrar and Paying Agent, respectively.

Section 3. Issuance of the Revenue Note

3.01. Findings of the City. The City Council hereby finds, determines, and declares that the issuance and delivery of the Revenue Note under the terms and conditions, and for the purposes, set forth in this resolution: (i) are authorized by the Development District Act, and by Minnesota Statutes, Sections 469.174-469.179, as amended (the "Tax Increment Act"), and by Minnesota Statutes, Chapter 475, as amended; (ii) are consistent with the purposes and goals of the City and the Development Program; (iii) will further the development and redevelopment purposes for which the Development District and the Tax Increment Districts were established; and (iv) are in the best interests of the City and the Agency. The City Council also hereby finds, determines, and declares that the Tax Increment Revenues to be derived from the Tax Increment Districts will exceed twenty percent of the capital and administration costs and the public redevelopment costs of the Development District undertaken pursuant to the Amended Redevelopment Contract.

3.02. Issuance and Sale of the Revenue Note. The City Council hereby authorizes the issuance of the Revenue Note by the City, in the original aggregate principal amount not to exceed \$20,000,000, on such date and upon the terms and conditions determined by the Finance Officer of the City (the "Finance Officer"). This authorization to issue the Revenue Note is effective without any additional action of the City Council and shall be undertaken by the Finance Officer on such

date and upon the terms and conditions deemed reasonable by the Finance Officer. The City Council hereby authorizes the sale of the Revenue Note to the Redeveloper in accordance with the terms and conditions set forth in the Amended Redevelopment Contract.

3.03. Terms of the Revenue Note. The Revenue Note shall have the maturities, interest rate provisions, shall be dated, numbered, and issued in such denominations, shall be subject to mandatory and optional redemptions and prepayment prior to maturity, shall be executed, sealed, and authenticated in such manner, shall be in such form, and shall have such other details and provisions as are prescribed in the Amended Redevelopment Contract. The form of the Revenue Note included in the Amended Redevelopment Contract is hereby approved, subject to such changes not inconsistent with this Resolution and applicable law, and subject to such changes that are approved by the Finance Officer. Without limiting the generality of the foregoing, the Finance Officer is authorized to approve changes in the original aggregate principal amount of the Revenue Note, in the principal amounts of the Revenue Note subject to optional or mandatory redemption, and changes to the dates of redemption. The issuance and delivery of the Revenue Note shall be conclusive evidence that the Finance Officer has approved any changes to the form of the Revenue Note on file with the City on the date hereof. The proceeds derived from the sale of the Revenue Note shall be held, transferred, expended, and invested in accordance with the terms of the Amended Redevelopment Contract and the earnings from all investments of the proceeds of the Revenue Note shall be held, transferred, expended, and invested in accordance with the terms of the Amended Redevelopment Contract.

3.04. Contingent Limited General Obligation Pledge. Except as otherwise provided in this Section 3.05, neither the full faith and credit nor the taxing power of the City are pledged to the payment of the principal or premium of or interest on the Revenue Note. If the Available Tax Increment Revenues or Additional Funds pledged to the payment of the principal or premium of or interest on the Revenue Note are applied to any other indebtedness of the City or indebtedness of the Agency, or are applied to the Neighborhood

Revitalization Program of the City, and the result of such application of Available Tax Increment Revenues is a deficiency in the payment of the principal or interest on the Revenue Note, then, to the extent of the deficiency in the payment of the principal or premium of or interest on the Revenue Note that is the result of the use of such Tax Increment Revenues or Additional Funds for the payment of such other indebtedness or to the application to the Neighborhood Revitalization Program, the City hereby pledges its full faith and credit and taxing powers. If necessary to pay such deficiency, the City shall levy, in addition to all other taxes, a direct tax upon all taxable property in the City, without limitation as to rate or amount, to pay the deficiency with respect to the Revenue Note when due.

3.05. Revenues to be applied to the Revenue Note. The City Council hereby authorizes the application of the Available Tax Increment Revenues derived by the City from the Tax Increment Districts and Additional Funds to the payment of the debt service on the Revenue Note, subject to any valid and superior prior pledges of such revenues, and hereby appropriates such Tax Increment Revenues and Additional Funds to such purpose in accordance with the terms of the Amended Redevelopment Contract and the form of the Revenue Note.

3.06. Issuance of Additional General Obligation Bonds. Notwithstanding the limitation in Section 2.02 of this Resolution, the principal amount of General Obligation Bonds authorized to be issued by the City under this Resolution may be increased to an amount not to exceed \$20,000,000 (the "Additional General Obligation Bonds"), if the Finance Officer determines that it is in the best interests of the City to reduce the principal amount of the Revenue Note and to correspondingly increase the principal amount of the General Obligation Bonds. The Additional General Obligation Bonds may be issued at the same time and under the same terms and conditions as the General Obligation Bonds, or the Additional General Obligation Bonds may be issued as a separate series of bonds under the Indenture.

Section 4. Execution and Delivery

4.01. Disclosure of Material Information. The preparation of an Official Statement (or other form of disclosure document) in

conjunction with the offer and sale of the General Obligation Bonds is hereby authorized. When approved by the Finance Officer of the City, the Official Statement (or other form of disclosure document) is authorized to be distributed in conjunction with the offer and sale of the General Obligation Bonds. In order to provide for continuing disclosure with respect to the General Obligation Bonds, to the extent deemed necessary, required, or appropriate by the Finance Officer, the Finance Officer and the Trustee may execute and deliver an agreement providing for continuing disclosure with respect to the General Obligation Bonds.

4.02. Certificates as to Disclosure and Litigation. The Mayor, the President of the City Council and the Finance Officer are individually and collectively authorized to furnish to the purchasers of the General Obligation Bonds, on the date of issuance and sale of the General Obligation Bonds, a certificate that, to the best of the knowledge of such officers, the Official Statement (or other form of disclosure document) does not, at the date of closing, and did not, at the time of sale of the General Obligation Bonds, contain any untrue statement of a material fact necessary in order to make the statements made therein in light of the circumstances under which they were made, not misleading. Unless litigation shall have been commenced and be pending questioning the General Obligation Bonds, proceedings, for approval of the General Obligation Bonds, taxes levied for payment of the General Obligation Bonds, revenues pledged for payment of the General Obligation Bonds or the organization of the City, or incumbency of its officers, at the closing, the Finance Officer shall also execute and deliver a suitable certificate as to absence of material litigation, and the Finance Officer shall also execute and deliver a certificate as to payment for and delivery of the General Obligation Bonds, and the signed approving legal opinion of Kennedy & Graven, Chartered, as to the validity and enforceability of the General Obligation Bonds and the tax-exempt status of interest on the General Obligation Bonds.

4.03. Other Certifications. The City Clerk, the Finance Officer, and other officers and employees of the City are hereby authorized and directed, individually and collectively, to furnish to the attorneys approving the General Obligation Bonds, on behalf of the purchasers

of the General Obligation Bonds, certified copies of all proceedings and certifications as to facts as shown by the books and records of the City, and the right and authority of the City to issue the General Obligation Bonds, and all such certified copies and certifications shall be deemed representations of fact on the part of the City. Such officers, employees, and agents of the City are hereby authorized to execute and deliver, on behalf of the City, all other certificates, instruments, and other written documents that may be requested by bond counsel, the Underwriter, the Liquidity Facility provider, the trustee, or other persons or entities in conjunction with the issuance of the General Obligation Bonds and the expenditure of the proceeds of the General Obligation Bonds. Without imposing any limitations on the scope of the preceding sentence, such officers and employees are specifically authorized to execute and deliver one or more UCC-1 financing statements, a certificate relating to federal tax matters including matters relating to arbitrage and arbitrage rebate, a receipt for the proceeds derived from the sale of the General Obligation Bonds, an order to the Trustee, a general certificate of the City, and an Information Return for Tax-Exempt Governmental Obligations, Form 8038-Rev. May 1993.

4.04. Certified Copy of Resolution. The City Clerk is hereby authorized and directed to certify a copy of this resolution and cause the same to be filed with the Hennepin County Director of Property Taxation, exercising the powers of the county auditor under Minnesota Statutes, Section 475.63, and to obtain the certificate of the Director of Property Taxation as the registration of the General Obligation Bonds. Copies of this resolution shall also be delivered to the Finance Officer and the City Clerk of the City.

Section 5. Reimbursement Resolution

5.01. Reimbursement Resolution. The United States Department of the Treasury has promulgated final regulations governing the use of the proceeds of tax-exempt bonds, all or a portion of which are to be used to reimburse the City for project expenditures paid prior to the date of issuance of such bonds. Those regulations, Treasury Regulations, Section 1.150-2 (the "Regulations"), require that the City adopt a statement of official intent to reimburse an original expenditure not later than

sixty days after payment of the original expenditure. The Regulations also generally require that the bonds be issued and that the reimbursement allocation made from the proceeds of the bonds occur within eighteen months after the later of: (i) the date the expenditure is paid; or (ii) the date the project is placed in service or abandoned, but in no event more than three years after the date the expenditure is paid. The Regulations generally permit reimbursement of capital expenditures and costs of issuance of the bonds.

The City reasonably expects to reimburse itself for expenditures made within the Development District in accordance with the requirements of the City and the Agency under the Amended Redevelopment Contract from the proceeds of the General Obligation Bonds in an estimated maximum original aggregate principal amount not exceeding \$35,000,000 and from the proceeds of the Revenue Note in an estimated maximum original aggregate principal amount not exceeding \$20,000,000, after the date of payment of all or a portion of such costs. All reimbursed expenditures will be capital expenditures, costs of issuance of the Bonds, or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Regulations and also qualifying expenditures under the Development District Act and the Tax Increment Act. No expenditures made within the Development District in accordance with the requirements of the City and the Agency under the Amended Redevelopment Contract have been made by the City or the Agency more than sixty days before the date of adoption of this resolution other than: (i) expenditures to be paid or reimbursed from sources other than the General Obligation Bonds; (ii) expenditures permitted to be reimbursed under prior regulations pursuant to the transitional provision contained in Section 1.150-2 (j) (2) (i) (B) of the Regulations; (iii) expenditures constituting preliminary expenditures within the meaning of Section 1.150-2 (f) (2) of the Regulations; or (iv) expenditures in a "de minimus" amount (as defined in Section 1.150-2 (f) (1) of the Regulations). As of the date hereof, there are no funds of the City or the Agency reserved, allocated on a long-term basis, or otherwise set aside (or reasonably expected to be reserved, allocated on a long-term basis, or otherwise set aside) to provide

permanent financing for the expenditures related to the Development District or the Amended Redevelopment Contract to be financed from proceeds of the General Obligation Bonds, other than pursuant to the issuance of the General Obligation Bonds, or from proceeds of the Revenue Note, other than pursuant to the issuance of the Revenue Note. This resolution, therefore, is determined to be consistent with the budgetary and financial circumstances of the City and the Agency as they exist or are reasonably foreseeable on the date hereof.

Section 6. Miscellaneous

6.01. Agreements Binding. All agreements, covenants, and obligations of the City contained in this resolution and in the above-referenced documents shall be deemed to be the agreements, covenants, and obligations of the City to the full extent authorized or permitted by law, and all such agreements, covenants, and obligations shall be binding on the City and enforceable in accordance with their terms. No agreement, covenant, or obligation contained in this resolution or in the above-referenced documents shall be deemed to be an agreement, covenant, or obligation of any member of the City Council, or of any officer, employee, or agent of the City in that person's individual capacity. Neither the members of the City Council, nor any officer executing the General Obligation Bonds or the Revenue Note, shall be liable personally on the General Obligation Bonds or the Revenue Note, or be subject to any personal liability or accountability by reason of the issuance of the General Obligation Bonds or the Revenue Note.

6.02. Rights Conferred. Nothing in this resolution or in the above-referenced documents is intended or shall be construed to confer upon any person (other than as provided in the Indenture and the other agreements, instruments, and documents hereby approved) any right, remedy, or claim, legal or equitable, under and by reason of this resolution or any provision of this resolution.

6.03. Validity. If for any reason the Mayor, President of the City Council, Finance Officer, City Clerk, or any other officers, employees, or agents of the City authorized to execute certificates, instruments, or other written documents on behalf of the City shall for any reason cease to be an officer, employee, or

agent of the City after the execution by such person of any certificate, instrument, or other written document, such fact shall not affect the validity or enforceability of such certificate, instrument, or other written document. If for any reason the Mayor, President of the City Council, Finance Officer, City Clerk, or any other officers, employees, or agents of the City authorized to execute certificates, instruments, or other written documents on behalf of the City shall be unavailable to execute such certificates, instruments, or other written documents for any reason, such certificates, instruments, or other written documents may be executed by a deputy or assistant to such officer, or by such other officer of the City as in the opinion of the City Attorney is authorized to sign such document.

6.04. Rating. The Finance Officer of the City is hereby authorized to seek a rating or ratings for the General Obligation Bonds from such nationally recognized rating agencies as determined by the Finance Officer; and is hereby authorized to deliver to such rating agencies such information relating to the City and the General Obligation Bonds as shall be requested by such rating agencies for the purpose of assigning an investment rating to the General Obligation Bonds.

6.05. Effective Date. This resolution shall take effect and be in force from and after its approval and publication.

Adopted. Yeas, 10; Nays, 3 as follows:

Yeas – Mead, Minn, Johnson, Thurber, Ostrow, Campbell, Biernat, Colvin Roy, Herron, Cherryhomes.

Nays – McDonald, Niland, Goodman.

Passed December 18, 1998.

J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the eminent domain proceedings on two parcels on Block 34 of the South Nicollet Mall Development District, also known as the "900 Nicollet Block," that were controlled by Opus Corporation, in relation to the restated redevelopment contract with Ryan Properties, Inc., for the phased redevelopment of a two-level Target department store, additional retail along the Nicollet Mall frontage and skyway

corridor, a below grade municipal parking garage and related skyway connections and street scape improvements, and in the second phase provides for, but does not require, an office building to be constructed in air rights over portions of the parking ramp and Target store, and further having under consideration the request of the Minneapolis Community Development Agency to approve a capital advance from the Common Project Reserve Fund for these acquisitions, by passage of a resolution increasing the MCDA appropriation in Fund CBY – South Nicollet Mall by \$8,037,090 and increasing Fund CAD – Tax Increment Administration by \$234,090, now recommends –

Comm Dev – that said request be forwarded without recommendation.

W&M/Budget – passage of the above-described resolution.

Campbell moved to amend the report to delete the Community Development Committee recommendation and to approve the Ways & Means/Budget Committee recommendation. Seconded.

Adopted. Yeas, 10; Nays, 3 as follows:

Yeas – Mead, Minn, Johnson, Thurber, Ostrow, Campbell, Biernat, Colvin Roy, Herron, Cherryhomes.

Nays – McDonald, Niland, Goodman.

The report, as amended, was adopted.

Yeas, 10; Nays, 3 as follows:

Yeas – Mead, Minn, Johnson, Thurber, Ostrow, Campbell, Biernat, Colvin Roy, Herron, Cherryhomes.

Nays – McDonald, Niland, Goodman.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-490
By Campbell**

**Amending The 1998 Minneapolis
Community Development Agency
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended as follows:

a) Increasing the appropriation in Fund

CBY – South Nicollet Mall by \$8,037,090 from available fund balance; and

b) Increasing the appropriation in Fund CAD – Tax Increment Administration by \$234,090 from available fund balance.

Adopted. Yeas, 10; Nays, 3 as follows:

Yeas – Mead, Minn, Johnson, Thurber, Ostrow, Campbell, Biernat, Colvin Roy, Herron, Cherryhomes.

Nays – McDonald, Niland, Goodman.

Passed December 18, 1998.

J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the business terms in relation to preparation of the Redevelopment Contract with Hunt/Gregory for the Heritage Landing Apartments (River Station II), a proposed development of 232 units of rental housing on the approximately three acre site owned by the Minneapolis Community Development Agency (MCDA) adjacent to River Station, now recommends approval of the modified business points as set forth in Petn No 264376, regarding financing with the MCDA.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the use of Hennepin County's "second 7.5%" NRP funds in the amount of \$50,000 to support the Armatage Playground Project as part of the Armatage NRP Action Plan, now recommends:

1. Approval of the use of Hennepin County's "second 7.5%" NRP funds for said purpose;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR) by \$50,000;

3. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in said request; and

4. That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency (Petr No 264377).

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-491
By Niland and Campbell**

**Amending The 1998 Minneapolis
Community Development Agency
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR – NRP Program by \$50,000.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the use of Hennepin County's "second 7.5%" NRP funds in the amount of \$111,000 to help fund Major Housing Redevelopment programs in the Jordan Neighborhood as part of the Jordan NRP Action Plan, now recommends:

1. Approval of the use of Hennepin County's "second 7.5%" NRP funds for said purpose;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR) by \$111,000;

3. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in said request;

4. That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency (Petr No 264377); and

5. That approvals and authorizations are contingent upon the necessary approvals by the Hennepin County Board of Commissioners.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-492
By Niland and Campbell**

**Amending The 1998 Minneapolis
Community Development Agency
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR – NRP Program by \$111,000.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the Standish Ericsson Neighborhood Action Plan (the Plan), with total NRP expenditures not to exceed \$3,439,035 (this includes "First Step" project allocations totaling \$697,352), and also approving the use of Minneapolis School Board's "second 7.5%" NRP funds in the amount of \$30,000 to support the purchase and installation of computers to upgrade the computer lab at Roosevelt High School, as set forth in Petr No 264377, now recommends:

1. That said Plan, and specifically those parts of the Plan which fall under City jurisdiction, be approved;

2. Approval of the use of Minneapolis School Board's "second 7.5%" NRP funds for said purpose;

3. Passage of the accompanying resolution increasing the NRP Program Fund (CNR) by \$815,740;

4. That the Minneapolis Community Development Agency (MCDA) staff be directed to establish dedicated reserve funds for the Plan within Fund (CNR) and to assign \$1,955,943 to such reserve fund for future year expenditures on the approved Plan;

5. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in the Plan; and

6. That this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-493
By Niland and Campbell

**Amending The 1998 Minneapolis
Community Development Agency
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR – NRP Program by \$815,740.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the St. Anthony East Neighborhood Association's Neighborhood Action Plan (the Plan), with total NRP expenditures not to exceed \$1,196,100 (including \$569,100 for previously approved "First Step" and "Early Access" expenditures), and also approving the use of Minneapolis School Board's "second 7.5%" NRP funds in the amount of \$50,000 to support improvements for the Webster School Playground, as set forth in Petn No 264377, now recommends:

1. That said Plan, and specifically those parts of the Plan which fall under City jurisdiction, be approved;

2. Approval of the use of Minneapolis School Board's "second 7.5%" NRP funds for said purpose;

3. Passage of the accompanying resolution increasing the NRP Program Fund (CNR) by \$500,700;

4. That the Minneapolis Community Development Agency (MCDA) staff be directed to establish dedicated reserve funds for the Plan within Fund (CNR) and to assign \$176,300 to such reserve fund for future year expenditures on the approved Plan;

5. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in the Plan; and

6. That this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-494
By Niland and Campbell

**Amending The 1998 Minneapolis
Community Development Agency
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR – NRP Program by \$500,700.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the Nokomis East Neighborhood Action Plan (the Plan), with total NRP expenditures not to exceed \$4,415,369 (this includes "Early Access" and "First Step" project allocations totaling \$1,396,515), as set forth in Petn No 264377, now recommends:

1. That said Plan, and specifically those parts of the Plan which fall under City jurisdiction, be approved;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR) by \$1,033,116;

3. That the Minneapolis Community Development Agency (MCDA) staff be directed to establish dedicated reserve funds for the Plan within Fund (CNR) and to assign \$1,985,738 to such reserve fund for future year expenditures on the approved Plan;

4. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in the Plan; and

5. That this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-495
By Niland and Campbell**

**Amending The 1998 Minneapolis
Community Development Agency
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR – NRP Program by \$1,033,116.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the Lynnhurst Neighborhood Action Plan (the Plan), with total NRP expenditures not to exceed \$1,016,683 (this includes “First Step” project allocations totaling \$243,500), as set forth in Petn No 264377, now recommends:

1. That said Plan, and specifically those parts of the Plan which fall under City jurisdiction, be approved;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR) by \$741,983;

3. That the Minneapolis Community Development Agency (MCDA) staff be directed

to establish dedicated reserve funds for the Plan within Fund (CNR) and to assign \$31,200 to such reserve fund for future year expenditures on the approved Plan;

4. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in the Plan; and

5. That this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 98R-496
By Niland and Campbell**

**Amending The 1998 Minneapolis
Community Development Agency
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR – NRP Program by \$741,983.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the Logan Park Neighborhood Association's Neighborhood Action Plan (the Plan), with total NRP expenditures not to exceed \$1,263,500 (including \$349,950 for the neighborhood's “First Step” Plan and \$10,000 in “Early Access”), as set forth in Petn No 264377, now recommends:

1. That said Plan, and specifically those parts of the Plan which fall under City jurisdiction, be approved;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR) by \$612,800;

3. That the Minneapolis Community Development Agency (MCDA) staff be directed

to establish dedicated reserve funds for the Plan within Fund (CNR) and to assign \$290,750 to such reserve fund for future year expenditures on the approved Plan;

4. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in the Plan; and

5. That this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-497
By Niland and Campbell

Amending The 1998 Minneapolis
Community Development Agency
Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR – NRP Program by \$612,800.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **INTERGOVERNMENTAL RELATIONS** Committee submitted the following reports:

IGR – Your Committee, having under consideration the matter of three positions on the Metropolitan Sports Facilities Commission which will become vacant on January 4, 1999, and having held a public hearing thereon, now recommends that John Pacheco, 2604 14th Av S, Terrell Towers, 1218 Morgan Av N, and Richard H Jefferson, 1314 Washburn Av N, be appointed to the Commission for four-year terms to expire January 6, 2003. Pacheco and Towers are incumbents. Jefferson will fill the position being vacated by Paul Thatcher.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

IGR – Your Committee, having under consideration the designation in July 1998 of the Twin Cities and other communities along the Upper Mississippi River as the Upper Mississippi American Heritage River, now recommends:

a. that the Mayor be authorized to execute a cooperative agreement with other communities and organizations within the Upper Mississippi American Heritage River, as set forth in Petn No 264379;

b. that the following individuals be appointed to the Twin Cities American Heritage River Initiative Steering Committee to represent Minneapolis: Ann Calvert, Minneapolis Community Development Agency; Fred Neet, Planning Department; David Byfield, Citizens Environmental Advisory Committee; and Mary Maguire, Mississippi Corridor Neighborhood Coalition; and

c. that staff be authorized to continue, and, if appropriate, to formalize, efforts to improve riverfront community participation.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **INTERGOVERNMENTAL RELATIONS** and **W&M/BUDGET** Committees submitted the following report:

IGR & W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute an extension of the contract with North State Advisers & Associates to provide advice and lobbying services at the Minnesota Legislature for the period January 1, 1999 through December 31, 1999 in an amount not to exceed \$42,000, payable from the General Fund – Intergovernmental Relations (0100-841-8410). (Petn No 264380)

Adopted. Yeas, 12; Nays, 1 as follows:

Yeas – Minn, McDonald, Johnson, Thurber, Ostrow, Campbell, Biernat, Niland, Goodman, Colvin Roy, Herron, Cherryhomes.

Nays – Mead.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

PS&RS – Your Committee recommends granting the following applications for liquor, wine and beer licenses:

Off-Sale Liquor, to expire January 1, 2000

Loring Park Assoc Ltd Partnership, dba Hyatt Regency Mpls/Regency Caterers, 1300 Nicollet Mall;

On-Sale Liquor Class A with Sunday Sales, to expire January 1, 2000

Old Chicago of Colorado Inc, dba Old Chicago, 510 1st Av N, 1st & 2nd floors;

Loring Park Assoc Ltd Partnership, dba Hyatt Regency Hotel, 1300 Nicollet Mall (attention general manager);

On-Sale Liquor Class A with Sunday Sales, to expire October 1, 1999

Rock Bottom of Minneapolis Inc, dba Rock Bottom Brewery, 800 LaSalle Av (new corporate officers/directors);

On-Sale Liquor Class C-2 with Sunday Sales, to expire October 1, 1999

J D Hoyt's Inc, 301 Washington Av N;

On-Sale Liquor Class E with Sunday Sales, to expire January 1, 2000

Brinda Companies Inc, dba Pracna on Main, 117 Main St SE;

Restaurant Properties Inc, dba Figlio's, 3001 Hennepin Av 301A;

Off-Sale Beer, to expire April 1, 1999

Awaijane Fadi A, dba Big Stop II, 2606 Penn Av N (new proprietor);

Antoine Inc, dba Big Stop Foods, 1800 26th Av N.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends granting the following applications for business licenses as per list on file and of record in the Office of the City Clerk under date of December 18, 1998, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 264385):

Amusement Devices; Building Contractor Class A; Building Contractor Class B; Cement Finisher; Contractor/Masonry Class A; Contractor/Masonry Class B; Check Cashing

Facilities; Christmas Tree; Dry Cleaning Pickup Station; Dry Cleaner – Nonflammable; Dry-Wall Contractor; Caterers; Grocery; Food Manufacturer; Restaurant; Short-Term Food Permit; Gas Fitter Class A; Gasoline Filling Station; Heating, Air Conditioning, Ventilation Installer Class A; Heating, Air Conditioning, Ventilation Installer Class B; Hotel; Lodging House; Lodging with Boarding House; Motor Vehicle Repair Garage; Motor Vehicle Servicing Class B (Towing); Motor Vehicle Servicing Class C (Towing); Motor Vehicle Servicing Class D (Towing); Commercial Parking Lot Class A; Commercial Parking Lot Class B – Contract; Plasterer; Plumber; Refrigeration Installer; Solid Waste Hauler; Tattooing; Taxicab Vehicle; Theater – Zone III; Tobacco Dealers; Tradesman-Combination; Wrecker of Buildings Class A; and Wrecker of Buildings Class B.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends granting the following applications for gambling licenses, subject to final inspection and compliance with all provisions of the applicable codes and ordinances:

Gambling-Lawful Class A

Edison Boosters Club Inc, 522 36 1/2 Av NE at Fraternal Order of Eagles Aerie 34, 2507 E 25th St;

Gambling-Lawful Class C

James Ballentine VFW Auxiliary #246, 2916 Lyndale Av S at VFW Post #246, 2916 Lyndale Av S (WD6);

Gambling Lawful Exempt

Edina Realty Foundation, 6800 France Av S, Edina (raffle on January 12, 1999 at Convention Center);

Church of the Holy Name, 3637 11th Av S (raffle on February 20, 1999);

Women's Cancer Resource Center, 1815 E 41st St #C (raffle on April 20, 1999 at Quest Club, 110 N 5th St).

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends that the proper City Officers be authorized to execute contracts with the following community clinics to provide clinic infrastructure enhancement and health education services to Minneapolis residents, in the total amount not to exceed \$230,000, for the period January 1 through December 31, 1999, payable from the Health Department (010-440-4413):

Agency	Amount
Indian Health Board of Minneapolis	\$25,000.00
Glenwood Lyndale Community Center	25,000.00
Planned Parenthood of Minnesota & South Dakota	25,000.00
Hennepin County/Family Medical Center	25,000.00
Southside Community Health Services	25,000.00
Fremont Community Health Services, Inc.	30,000.00
Cedar Riverside People's Center	25,000.00
Regents of the University of Minnesota/Community	
University Health Care/Variety Children's Clinic	25,000.00
Neighborhood Involvement Project (Uptown Clinic)	25,000.00

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published December 22, 1998)

PS&RS – Your Committee recommends that the proper City Officers be authorized to execute a contract with the Minneapolis Public Schools, in the amount of \$218,063, to provide staff services for continued support of the restructuring of school health services, as set forth in Petn No 264383 on file in the Office of the City Clerk. Said contract shall be for the period January 1 through December 31, 1999, and payable from the Health Department, with \$175,000 from (010-440-4413), \$40,000 from (060-440-4413), and \$3,063 from (030-440-4413), contingent upon approval of funding in the 1999 budget.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends that the proper City Officers be authorized to execute Amendment #1 to Agreement #13012 with the Minneapolis Public Schools, increasing the amount by \$15,700 for a new total contract not to exceed \$276,620, to provide continued social work services at the Welcome Center in support of the restructuring of school health services. In addition, said amendment extends the contract an additional six months, for a new contract period of January 1, 1998 through June 30, 1999, payable from the Health Department (060-440-4421), contingent upon approval of funding in the 1999 budget.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends that the proper City Officers be authorized to respond to a Request for Proposals and submit a proposal for fire suppression services at the Veteran's Administration Medical Center and Fort Snelling National Cemetery.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the following properties creating nuisance conditions within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, and having determined that rehabilitation of said properties is not feasible, now recommends that the proper City officers be authorized to raze the following properties, as more fully set forth in the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and made a part of this report by reference:

- a. 1400-02 Morgan Av N, Lot 9, Block 4, Rosedale Park Addition (PID #16-029-24-33-0139)
- b. 2109 Aldrich Av N, Lot 6, Block 10, Highland Park Addition (PID #16-029-24-14-0105)
- c. 1324 Oliver Av N, Lot 22, Block 3, Plymouth Park Addition (PID #16-029-24-33-0077)
- d. 2009 Willow Av, Lot 9, Block 20, Forest Heights (PID #16-029-24-22-0148)
- e. 3211 Morgan Av N, Lot 13, Block 2, Mabie and Haydens Addition (PID #09-029-24-23-0148)
- f. 3024 Emerson Av N, Lot 20, Block 9, Silver Lake Addition (PID #09-029-24-42-0021)
- g. 425 NE 20th Av, West 1/2 of East 1/2 of Lots 1 and 2, Block 4, Cobbs Addition St Anthony (PID #11-029-24-34-0043)
- h. 1213 Spring St, W 40-50/100 ft of the E 124 3/100 ft, Lots 25, 28 & 29, Block 9, Ramsey Lockwood & Others Addition (PID #13-029-24-31-0121).

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

PS&RS & W&M/Budget – Your Committee, having under consideration the provision of lead reduction and educational activities within the City of Minneapolis to be performed by community-based non-profit organizations as designated by the project workplan with the United States Department of Housing and Urban Development, now recommends that the proper City Officers be authorized to execute an Addendum to Agreement #13136 with Way to Grow to change the term of the agreement from April 1, 1998 through March 31, 1999 to August 1, 1998 through July 31, 1999.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget – Your Committee, having under consideration the provision of health club memberships to all Fire Department sworn personnel, now recommends that the proper City Officers be authorized to execute a First Extension Agreement to Contract #11912 with Starmark Northwest Management L.L.C., dba Northwest Athletic Club, to clarify the term of the contract shall be for the period November 1998 through December 31, 1999, and to change the contract payment terms from quarterly pre-payments to six-month pre-payments, with the schedule of payments to be made as set forth in Petn No 264386 on file in the Office of the City Clerk.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget – Your Committee recommends that the proper City Officers be authorized to submit a grant application to the Minnesota Join Together Coalition of the Robert Wood Foundation seeking \$5,000 to be expended over a one-year period to reduce youth access to alcohol by increasing enforcement toward adults who provide alcohol to underage persons in social or non-commercial settings, including “party houses” in Southeast Minneapolis.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget – Your Committee recommends that the proper City Officers be authorized to accept the Borderline System from the Department of the Army and the Department of Defense, valued at \$350,000, to provide high technology efforts to assist with investigations and prosecution of illegal drug trafficking and related issues with respect to Title III investigations. The manufacture, JSI TELECOM, will provide a one-year warranty with technical support for the equipment, with future maintenance agreements to be paid from the Drug Task Force, lawful gambling funds and/or forfeiture funds.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

T&PW – Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals seeking design services related to transportation and design issues along the W 44th St Corridor in the Linden Hills neighborhood, as called for in the area Neighborhood Revitalization Program Action Plan.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having received a petition from the residents of Glendale Housing requesting establishment of a Critical Parking Area on 27th Av SE, St. Mary's Av, Williams Av SE, Essex St SE and Delaware St SE, and the City Clerk having verified that said petition represents more than 75 percent of the residents of the affected properties meeting the requirements for a Critical Parking Area, now recommends passage of the accompanying ordinance amending Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to **Traffic Code: Parking, Stopping and Standing**, establishing Critical Parking Area #20, a Type-A Zone (Posted Time Limited Except by Permit).

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 98-Or-152

By Mead

1st & 2nd Readings: 12/18/98

Amending Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to Traffic Code: Parking, Stopping and Standing.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 478.730 of the above-entitled ordinance be amended by adding thereto the following Loading Zones:

No. 3387 – NEly side of 27th Av SE (Service Road) from Essex St SE SEly to the dead end (Critical Parking Area #20) (Loading Zone, Two Hour Parking, 8AM-6PM, Monday-Friday, Except by Permit);

No. 3388 – Both sides of St. Mary's Av betw St. Mary's Place and Delaware St SE (Critical Parking Area #20) (Loading Zone, Two Hour Parking, 8AM-6PM, Monday-Friday, Except by Permit);

No. 3389 – Both sides of Williams Av SE betw St. Mary's Place and St. Mary's Av (Critical Parking Area #20) (Loading Zone, Two Hour Parking, 8AM-6PM, Monday-Friday, Except by Permit);

No. 3390 – Both sides of Essex St SE betw 27th Av SE and St. Mary's Av (Critical Parking

Area #20) (Loading Zone, Two Hour Parking, 8AM-6PM, Monday-Friday, Except by Permit); and

No. 3391 – Both sides of Delaware St SE betw 27th Av SE and Williams Av SE (Critical Parking Area #20) (Loading Zone, Two Hour Parking, 8AM-6PM, Monday-Friday, Except by Permit).

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having received a petition from the residents of Pleasant Av S and W 49th St in the area of Washburn High School requesting establishment of a Critical Parking Area, and the City Clerk having verified that said petition represents more than 75 percent of the residents of the affected properties meeting the requirements for a Critical Parking Area, now recommends that a Critical Parking Area be established on the northerly side of W 49th St only, on a temporary basis until such time as the “Good Neighbor Parking Plan” is reestablished in the area.

Your Committee further recommends passage of the accompanying ordinance amending Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to **Traffic Code: Parking, Stopping and Standing**, establishing Critical Parking Area #19, a temporary Type-A Zone (Posted Time Limited Except by Permit).

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 98-Or-153

By Mead

1st & 2nd Readings: 12/18/98

Amending Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to Traffic Code: Parking, Stopping and Standing.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 478.730 of the above-entitled ordinance be amended by adding thereto the following Loading Zone:

No. 3386 – Nly side of W 49th St betw Pleasant Av S and Wentworth Av S (Critical Parking Area #19 – Temporary) (Loading Zone, One Hour Parking, 8AM-4PM, Monday-Friday, Except by Permit).

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends that the proper City officers be authorized to execute an agreement with Hennepin County which will provide for reimbursement to the City for costs incurred in the removal and replacement of carriage walks during the resurfacing of Park and Portland Avs between W 43rd and 46th Sts, in the amount of \$7,088.07.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends that the proper City officers be authorized to execute an agreement with the Dinkytown Business Association (DBA) providing for DBA to plan and implement parking solutions in the Dinkytown area for which the City will pay DBA an amount of \$80,000, payable from the existing appropriation for Special Improvement of Existing Street #2924 in PW – Streets and Malls Capital Fund (4100-937-9372). The cost of the agreement will be recovered from Marcy Holmes Neighborhood Revitalization Program (NRP) funds through an existing agreement between the City and Minneapolis Community Development Agency executed on October 27, 1998.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration demolition activities at the site planned for the new Hennepin County Public Safety Facility and the discovery at the site of an areaway way wall under 5th St S that would be difficult to remove at the present time, now recommends passage of the accompanying resolution authorizing Hennepin County to delay removal of said areaway wall located within the public right of way of 5th Street South and accepting Hennepin County's commitment to remove said wall at a future date.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-498

By Mead

Authorizing the County of Hennepin to delay removal of an areaway wall located within the public right of way of 5th St S and accepting Hennepin County's commitment to remove said wall at a future date.

Whereas, there currently exists an areaway wall, being approximately 68 feet in length, 12 feet in depth, 2 feet thick and located parallel to and 15 feet from the northwest right of way line of 5th Street South, East of 4th Avenue South, and;

Whereas, a fiber optic conduit owned by AT&T within the public right of way of 5th St S is in a location which hinders the safe and expedient removal of a portion of the areaway wall, and;

Whereas, the County of Hennepin wishes to facilitate construction of the Hennepin County Public Safety Facility within a timely schedule, and;

Whereas, the County of Hennepin wishes to cooperate with the City of Minneapolis in compliance with City ordinances regulating areaway removal and management of public right of way;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That in the determination and judgment of the City Council, it is found necessary and expedient on account of public necessity and for public purposes to delay the removal of an

areaway wall appurtenant to the following property situated in the City of Minneapolis, Hennepin County, to-wit:

Lot 1, Block 76, Town of Minneapolis Addition, including adjacent portion of vacated alley.

Be It Further Resolved that the City accept a letter from the Hennepin County Director of Public Works regarding their commitment to remove the areaway wall when necessary to do so, in accordance with applicable City ordinance.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends passage of the accompanying resolution discouraging work-related travel by City, Minneapolis Community Development Agency and Greater Minneapolis Convention & Visitors Association employees on flights from Minneapolis-St. Paul International Airport between the hours of 10 p.m. and 7 a.m.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-499

**By Mead, Campbell, Niland,
Johnson, Colvin Roy, Minn**

Discouraging work-related travel by employees of the City, Minneapolis Community Development Agency (MCDA) and Greater Minneapolis Convention and Visitors Association (GMCVA) on flights to and from Minneapolis-St. Paul International Airport between the hours of 10 p.m. and 7 a.m.

Whereas, flights over Minneapolis residences to and from Minneapolis-St. Paul (MSP) International Airport between 10:00 p.m. and 7:00 a.m. create serious disruption to peace and rest; and

Whereas, Northwest Airlines operates most of the flights to and from MSP International Airport; and

Whereas, the City spends almost a half million dollars per year on work-related travel for officials and employees; and

Whereas, the City does not want its citizens' tax dollars to be spent on flights that seriously disrupt residents' lives and wants to discourage such flights;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That City, MCDA and GMCVA officials and employees are encouraged to schedule all work-related travel on flights to and from MSP International Airport that arrive or depart between the hours of 7:00 a.m. and 10:00 p.m.

Be It Further Resolved that City, MCDA and GMCVA officials and employees seek overnight accommodations, at the expense of the air carrier, whenever a flight is delayed such that it would arrive at MSP International Airport between the hours of 10:00 p.m. and 7:00 a.m.

Be It Further Resolved that Northwest Airlines is encouraged to bring full scale Stage III noise reduction technology on line as soon as possible by replacing all older jets.

Be It Further Resolved that these policies be communicated to all City, MCDA and GMCVA officials and employees, to all Minneapolis-approved travel vendors, Northwest Airlines and other carriers, and the Metropolitan Airports Commission.

Be It Further Resolved that the City's independent boards, business community, and the traveling public be encouraged to adopt similar policies.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having received a report from the Director of Solid Waste and Recycling regarding the results of negotiations with B.F.I. Recycling Systems of Minnesota, Inc. (BFI) relative to extension of their contract with the City to receive, process and market materials collected in the curbside recycling program, now recommends that the proper City officers be directed to continue negotiations with BFI with the intent of extending the City's agreement with them through June 30, 2002. Staff shall continue negotiating under the terms

and conditions contained in Petn No 264391 and return to the Transportation & Public Works Committee with a final contract proposal by January 28, 1999.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends that the proper City officers be authorized to execute a contract with Hennepin County to provide two Sentence to Serve crews to perform various work for Clean City activities, for the period of January 1, 1998 through December 31, 1998, at a total cost of \$104,000 payable from the Solid Waste Division budget.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration a resolution authorizing City membership in the Phillips Partnership Transportation Initiative, Inc., now recommends that said resolution be forwarded without recommendation with direction to the City Attorney to review legal implications.

Mead moved to amend the report to recommend passage of a substitute resolution. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-500

**By Mead, Herron,
Niland, Thurber**

Approving membership of the City of Minneapolis in the Phillips Partnership Transportation Initiative, Inc.

Whereas, the Phillips Partnership is comprised of: Allina Health Systems, Honeywell, Children's Hospitals and Clinics, Norwest Bank, Fannie Mae, The Minneapolis

Foundation, Hennepin County, the City of Minneapolis, and US Bank; and

Whereas, the Phillips Partnership focuses on four key concerns in the Phillips Neighborhood of Minneapolis: public safety, jobs, housing and infrastructure; and

Whereas, the Phillips Partnership has proposed new access to and from I35W in the Lake Street area of Minneapolis; and

Whereas, the Phillips Partnership at its meeting of December 8, 1998 unanimously approved the creation of the Phillips Partnership Transportation Initiatives, Inc., a non-profit corporation, in order to satisfy legal requirements for contracting purposes; and

Whereas, on December 8, 1998, the Hennepin County Budget and Capital Investment Committee of the Hennepin County Board of Commissioners voted to approve membership of the County of Hennepin in the Phillips Partnership Transportation Initiative, Inc. with full Commission approval anticipated on December 15, 1998;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis supports the membership of the Mayor of the City of Minneapolis as a Board of Directors Member of the Phillips Partnership Transportation Initiative, Inc.

Be it Further Resolved that the City of Minneapolis' financial commitment is limited to a one-third contribution toward the local match to federal funds for planning and design and does not obligate or commit a second authorization for project construction.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished January 16, 1999).

The TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS/BUDGET

Committees submitted the following reports:

T&PW & W&M/Budget – Your Committee recommends acceptance of the following bids in accordance with City specifications (Petr No 264394):

a) OP #5029, low bid submitted by Custom Products and Services for an estimated annual expenditure of \$40,000 for furnishing and

delivering all labor, equipment, materials and incidentals necessary to provide snow removal and sidewalk maintenance through April 30, 1999 in the Stadium Village Special Service District;

b) OP #4982, bid submitted by Custom Products and Services for an estimated annual expenditure of \$45,000 for furnishing and delivering all labor, equipment, materials and incidentals necessary to provide snow removal and sidewalk maintenance in the Dinkytown Village Special Service District;

c) OP #4971, low bid meeting specifications of Tri-State Drilling, Inc. in the amount of \$91,994 for furnishing and delivering all labor, materials, equipment, permits and incidentals necessary to accomplish construction of a 600 MM (24") lined drill hole for the Public Works Sewer Construction Division.

Your Committee further recommends that the proper City officers be authorized to execute contracts for the above projects and/or services, in accordance with City specifications.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration the City's costs for installation of temporary signals for the construction of Hiawatha Av between E 24th St and E 32nd St, now recommends passage of the accompanying resolution appropriating \$630,926.28 to the PW – Transportation Capital Agency for the costs of the signals, with the direction to staff to recover \$411,475.72 from Minnesota Department of Transportation (MnDOT) (S.P. 2724-105) and \$219,430.56 from Municipal State-Aid (MSA) (S.A.P #'s 141-020-67, 141-020-81, 141-020-84, 141-191-07, 141-326-02, 141-410-04).

Your Committee further recommends that the proper City officers be authorized to execute Agreement #78194 with MnDOT to receive an amount of \$411,475.72 towards the Federal/State contribution for the City's expenditure of \$630,926.28 for 15 temporary signals for the construction of Hiawatha Av between E 24th St and E 32nd St.

Adopted. Yeas, 13; Nays none.
Passed December 18, 1998.
Approved December 24, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 98R-501
By Mead and Campbell

**Amending The 1998 Capital
Improvement Appropriation Resolution.**

Resolved by The City Council of The City
of Minneapolis:

That the above-entitled resolution, as
amended, be further amended by increasing
the appropriation for the PW – Transportation
Capital Agency in the Permanent Improvement
Projects Fund (4100-943-9440) by \$630,926.28
to cover the City's installation expenditure for
temporary signals for the construction of
Hiawatha Av between E 24th St and E 32nd St
with direction to recover \$411,475.72 from
MnDOT and \$219,430.56 from Minnesota State
Aid funds.

Adopted. Yeas, 13; Nays none.
Passed December 18, 1998.
J. Cherryhomes, President of Council.
Approved December 24, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee,
having under consideration the
recommendation of the Director of Water
Works regarding the results of a Request for
Proposals issued for development of risk
management plans for the Water Works
filtration plants at Fridley and Columbia Heights
as required by the Environmental Protection
Agency, now recommends that the proper City
officers be authorized to enter into a
professional services agreement with CH2M
HILL for said services for a fee not to exceed
\$60,000, payable from the Water Revenue
Fund (740-690-6920).

Adopted. Yeas, 13; Nays none.
Passed December 18, 1998.
Approved December 24, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee
recommends that the proper City officers be
authorized to pay to Copeland Truc-King, Inc.
the amount of \$30,232.25 for moving services
provided for the Public Works Facilities Project,
including relocation of the Police Garage,
Radio Shop, Lands and Buildings Division, Fire
Stores and Street Maintenance Division. Said
costs are payable from the General Services
Agency (4100-923-9247).

Adopted. Yeas, 13; Nays none.
Passed December 18, 1998.
Approved December 24, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee,
having under consideration a report from the
Public Works Transportation Engineer
regarding the Bus Shelter Franchise
Agreement held by Transtop Minnesota, Inc.
and the results of a staff review of revenues
received for the last nine years under the
agreement, now recommends that the financial
projections of the Franchise Agreement have
not been met and a staff committee shall be
established to further review the Agreement,
revenues received, negotiate changes in the
franchise fee and report back to the
Transportation & Public Works Committee by
March 31, 1999. Said review shall include
consideration of the possibility of changing the
Franchise Agreement to allow political
advertising in shelters (except for municipal
candidates). Market comparisons should be
utilized in the review and the findings of the
committee should include recommendations for
modifying the revenue projections for the
remaining ten years of the agreement. The
review committee shall be comprised of David
Foster (Finance Department), Larry
Cooperman (City Attorney's Office), Robert
Bjorklund (Internal Auditor) and the City
Engineer or his designee.

Johnson moved to amend the report as
follows:

- a) Following the words, "a staff committee
shall be established to further review the
Agreement", delete the comma and insert the
word "and";
- b) Delete the word, "negotiate" and insert in
lieu thereof the word, "recommend". Seconded.
Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee recommends approval of the recommendation of the Public Works Transportation Engineer for establishment of a one-year experiment in two downtown neighborhoods with parking meters whereby meter enforcement will begin at 9 a.m. instead of 8 a.m. The areas affected are located in the Loring Park neighborhood and in the vicinity of the Itasca Building, as indicated on the maps contained in Petn No 264395.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **WAYS & MEANS/BUDGET**

Committee submitted the following reports:

W&M/Budget – Your Committee, having under consideration an application for 1998 mid-year homestead classification for the Maynidoowahwak Odena Cooperative and a request to approve required Findings, pursuant to Minnesota Statutes, 273.124, Subd. 6, now recommends that the application and request be denied since the required Findings could not be affirmed.

Adopted. Yeas, 12; Nays, 1 as follows:

Yeas – Mead, Minn, McDonald, Johnson,
Thurber, Ostrow, Campbell, Biernat, Goodman,
Colvin Roy, Herron, Cherryhomes.

Nays – Niland.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends approval to establish a legal services panel consisting of individual attorneys and various law firms, as listed in Petn No 264403, on file in the Office of the City Clerk and made a part of this report by reference.

Your Committee further recommends that the proper City officers be authorized to execute Master Agreements with those firms

and individuals approved for placement on said panel, for a period of two years, in the amount of \$50,000 per agreement per year.

Your Committee further recommends approval to waive the Request for Proposal process for conflicts/police cases.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends acceptance of the proposal of Zurich American Insurance Group for an Owner Controlled Insurance Program, in concurrence with the recommendation of the Convention Center Implementation Committee.

Your Committee further recommends that the proper City officers be authorized to execute the necessary contracts and documents with Zurich American Insurance Group, consistent with the terms of their proposal, all as more fully set forth in Petn No 264404 on file in the Office of the City Clerk.

Adopted. Yeas, 12; Nays none.

Yeas – Mead, Minn, McDonald, Johnson,
Thurber, Ostrow, Campbell, Biernat, Niland,
Goodman, Colvin Roy, Herron.

Declining to Vote – Cherryhomes.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends approval to provide Round 16 funding for those organizations recommended by the Advisory Panel of the Neighborhood Arts New Presenters Program, at the levels shown in Petn No 264401 on file in the Office of the City Clerk.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that a lawsuit filed against Jose Cervantes (a City employee), et al, be settled and be payable to Cedar Associates, Inc.,

David Espeland, and their attorney, Randall Tigue, in the amount of \$14,000, payable from 6900-150-1500-8500.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends settlement of workers compensation claims and the City's subrogation interest in a personal injury claim relating to Leroy Swenson (deceased), and further recommends that payment be made to Betsy Swenson and her attorney, Scott D. Eller, in the amount of \$10,750.67, payable from 6900-150-1500-2800.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends acceptance of the low bid meeting specifications received on OP #5025, (Petr No 264404), submitted by The Builders Inc, in the amount of \$1,286,000, for furnishing all labor, materials, equipment, services and incidentals necessary to accomplish the remodeling of the Convention Center kitchen and relocation of the NSP power source on the east side of the Convention Center.

Your Committee further recommends that the proper City officers be authorized to execute a contract for said projects, all in accordance with City specifications, as prepared by the Convention Center Design Team.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published December 22, 1998)

W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute a professional services agreement with the Greater Minneapolis Convention and Visitors Association (GMCVA) to provide sales and marketing services at the

Convention Center, for the period from May 1, 1998 through February 28, 1999, in an amount not to exceed \$50,000, payable from Convention Center Related – Convention Center Operations (0760-865-8651), with the understanding that the position will be reviewed in February to determine advisability of continuing this arrangement.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute a contract with Hennepin County for the City to provide Computer Aided Dispatch (CAD) System services and support to the Hennepin County Medical Center, for the period from January 1, 1999 through December 31, 2001 with Hennepin County to pay \$50,000 per year for said services.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration requests to include the following messages in the City's February/ March, 1999 utility billings and to waive the .015 charge per insert per mailing, now recommends approval of said inclusions and waivers:

a) Request from the Minnesota State Office of the United States Department of Housing and Urban Development for an insert relating to fair housing; and

b) Request from the South Minneapolis Housing and Home Improvement Fair Advisory Committee announcing the Fifth Annual Housing and Home Improvement Fair.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends rescinding Council action of October 16, 1998 relating to Agreement #8870 with Minnesota Age and Opportunity, Inc.

Your Committee further recommends that the proper City officers be authorized to execute Amendment #5 to Agreement #8870 with Minnesota Age and Opportunity, Inc, for the period from June 1, 1998 through May 31, 1999, increasing the contract amount by \$50,000, for a new contract total of \$778,969, with \$728,969 to be payable from the Community Development Block Grant/Urban Development Action Grant (CDBG/UDAG) Fund – Health Department Agency (0400-440-4413) and \$50,000 to be payable from the Grants – Other Fund – Health Department Agency (0600-440-4413).

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published December 22, 1998)

W&M/Budget – Your Committee recommends that the proper City officers be authorized to issue Fund Availability Notice (FAN) #03-3a to Pillsbury Neighborhood Services, Inc, under Master Contract #10007, to provide success skills workshops for welfare participants referred by the Employment and Training providers, for the period from January 1, 1998 through December 31, 1998, in the amount of \$25,000, payable from the Grants – Other Fund – Neighborhood Services Agency (0600-860-8605).

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends passage of the accompanying amendment to the Salary Ordinance, setting the salary for the position of Management Analyst, based on studies conducted by the Department of Human Resources.

Your Committee further recommends summary publication of said Salary Ordinance.

Campbell moved to amend the report to add the following language as the last paragraph: “Your Committee further recommends that the Human Resources and Finance staff implement the Salary Ordinance after, and only after, formal notification of ratification by the Minneapolis Professional Employees Association.” Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 98-Or-154, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Management Analyst, based on studies conducted by the Department of Human Resources, was passed December 18, 1998, by the City Council and approved December 24, 1998, by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 98-Or-154

By Campbell

1st & 2nd Readings: 12/18/98

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of the City of Minneapolis do ordain as follows:

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

Minneapolis Professional Employees (CPE)

Effective: April 1, 1998

FLSA	OTC	CLASSIFICATION	P	6 Months	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
E	4	Management Analyst	B	1603	1644	1730	1821	1917	2018	2124	2236

Section 2: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

Minneapolis Professional Employees (CPE)

Effective: January 1, 1999

FLSA	OTC	CLASSIFICATION	P	6 Months	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
E	4	Management Analyst	B	1643	1685	1774	1867	1965	2068	2177	2292

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998. J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends passage of the accompanying amendment to the Salary Ordinance, setting the salary for the position of Street Operations Specialist, based on studies conducted by the Department of Human Resources.

Your Committee further recommends that the salary range for said new classification title be \$1,065 to \$1,691 bi-weekly, effective July 25, 1997, and that the incumbent receive the difference between straight time and overtime pay from that date.

Your Committee further recommends summary publication of said Salary Ordinance.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 98-Or-155, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Street Operations Specialist, based on studies conducted by the Department of Human Resources, was passed December 18, 1998, by the City Council and approved December 24, 1998, by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 98-Or-155
By Campbell

1st & 2nd Readings: 12/18/98

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of the City of Minneapolis do ordain as follows:

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

Minneapolis City Supervisor's Association (CSU)

Effective: July 25, 1997

FLSA	OTC	CLASSIFICATION	PTS	G	P	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
N	3	Street Operations Specialist	323	7	B	1065	1138	1373	1444	1525	1605	1691

Section 2: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

Minneapolis City Supervisor's Association (CSU)

Effective: January 1, 1998

FLSA	OTC	CLASSIFICATION	PTS	G	P	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
N	3	Street Operations Specialist	323	7	B	1092	1166	1407	1480	1563	1645	1733

Section 3: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

Minneapolis City Supervisor's Association (CSU)

Effective: January 1, 1999

FLSA	OTC	CLASSIFICATION	PTS	G	P	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
N	3	Street Operations Specialist	323	7	B	1119	1195	1442	1517	1602	1686	1776

Section 4: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes:(Bi-Weekly Rates)

Minneapolis City Supervisor's Association (CSU)

Effective: January 1, 2000

Schedule a:												
FLSA	OTC	CLASSIFICATION	PTS	G	P	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
N	3	Street Operations Specialist	323	7	B	1147	1225	1478	1555	1642	1728	1820

Schedule b*:

FLSA	OTC	CLASSIFICATION	PTS	G	P	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
N	3	Street Operations Specialist	323	7	B	1153	1231	1485	1563	1650	1737	1829

*Schedule (b), above, shall be in effect should the City's General Fund revenue increase more than 3% for the year 2000 over the 1999 General Fund revenue.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998. J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends passage of the accompanying amendment to the Salary Ordinance, setting the salary for the position of Stock Worker, based on studies conducted by the Department of Human Resources.

Your Committee further recommends that an hourly salary range of \$13.25 to \$17.80 be effective January 21, 1998.

Your Committee further recommends that Stock Worker Stephen Peckham receive the difference between pay received and the amount an Account Clerk II at the same step would have received for the period from March 19, 1997 through January 20, 1998.

Your Committee further recommends summary publication of said Salary Ordinance.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 98-Or-156, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Stock Worker, based on studies conducted by the Department of Human Resources, was passed December 18, 1998, by the City Council and approved December 24, 1998, by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 98-Or-156
By Campbell

1st & 2nd Readings: 12/18/98

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of the City of Minneapolis do ordain as follows:

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Hourly Rates)

Laborers: City Employees Local #363 (CLB)

Effective: January 21, 1998

FLSA OTC	CLASSIFICATION	P	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
N 2	Stock Worker	H	13.25	14.03	15.36	15.94	16.51	17.11	17.80

Section 2: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Hourly Rates)

Laborers: City Employees Local #363 (CLB)

Effective: January 1, 1999

FLSA OTC	CLASSIFICATION	P	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
N 2	Stock Worker	H	13.58	14.38	15.74	16.34	16.92	17.54	18.25

Section 3: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Hourly Rates)

Laborers: City Employees Local #363 (CLB)

Effective: January 1, 2000

Schedule a:			1st	2nd	3rd	4th	5th	6th	7th
FLSA	OTC	CLASSIFICATION	P	STEP	STEP	STEP	STEP	STEP	STEP
N	2	Stock Worker	H	13.92	14.74	16.14	16.75	17.35	17.98 18.70

Schedule b*:			1st	2nd	3rd	4th	5th	6th	7th
FLSA	OTC	CLASSIFICATION	P	STEP	STEP	STEP	STEP	STEP	STEP
N	2	Stock Worker	H	13.99	14.81	16.22	16.83	17.43	18.06 18.79

*Schedule (b), above, shall be in effect should the City's General Fund revenue increase more than 3% for the year 2000 over the 1999 General Fund revenue.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998. J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends passage of the accompanying amendment to the Salary Ordinance, setting the salary for the position of Chief Inspector, Utility Connections, based on studies conducted by the Department of Human Resources.

Your Committee further recommends that the salary range for said new classification title be \$1,500 to \$2,040 bi-weekly, effective May 18, 1998, and that the incumbent, Richard Inselmann, receive back pay in accordance with contract provisions retroactive to that date.

Your Committee further recommends summary publication of said Salary Ordinance.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 98-Or-157, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Chief Inspector, Utility Connections, based on studies conducted by the Department of Human Resources, was passed December 18, 1998, by the City Council and approved December 24, 1998, by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 98-Or-157
By Campbell

1st & 2nd Readings: 12/18/98

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of the City of Minneapolis do ordain as follows:

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

Minneapolis City Supervisor's Association (CSU)

Effective: May 18, 1998

FLSA	OTC	CLASSIFICATION	P	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
E	4	Chief Inspector, Utility Connections	B	1500	1579	1662	1749	1841	1938	2040

Section 2: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

Minneapolis City Supervisor's Association (CSU)

Effective: January 1, 1999

FLSA	OTC	CLASSIFICATION	P	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
E	4	Chief Inspector, Utility Connections	B	1537	1618	1703	1793	1887	1986	2091

Section 3: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

Minneapolis City Supervisor's Association (CSU)

Effective: January 1, 2000

Schedule a:				1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
FLSA	OTC	CLASSIFICATION	P	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
E	4	Chief Inspector, Utility Connections	B	1575	1658	1745	1837	1934	2036	2143

Schedule b*:				1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
FLSA	OTC	CLASSIFICATION	P	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
E	4	Chief Inspector, Utility Connections	B	1584	1667	1755	1847	1944	2046	2154

*Schedule (b), above, shall be in effect should the City's General Fund revenue increase more than 3% for the year 2000 over the 1999 General Fund revenue.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998. J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends passage of the accompanying amendment to the Salary Ordinance, setting the salary for the position of Housing Inspections Administrator, based on studies conducted by the Department of Human Resources.

Your Committee further recommends that the salary range for said new classification title be \$1,907 to \$2,584 bi-weekly, effective December 21, 1998.

Your Committee further recommends that the title of Supervisor, Housing Inspections Administrator be abolished.

Your Committee further recommends summary publication of said Salary Ordinance.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 98-Or-158, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Housing Inspections Administrator, based on studies conducted by the Department of Human Resources, was passed December 18, 1998, by the City Council and approved December 24, 1998, by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 98-Or-158
By Campbell

1st & 2nd Readings: 12/18/98

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to
Administration: Personnel.

The City Council of the City of Minneapolis do ordain as follows:

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

Non-Represented (CNR)

Effective: December 21, 1998

			1st	2nd	3rd	4th	5th	6th	7th
FLSA	OTC	CLASSIFICATION	P	STEP	STEP	STEP	STEP	STEP	STEP
E	1	Housing Inspections Administrator	B	1907	2007	2113	2224	2341	2464 2594

Section 2: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

Non-Represented (CNR)

Effective: January 1, 1999

			1st	2nd	3rd	4th	5th	6th	7th
FLSA	OTC	CLASSIFICATION	P	STEP	STEP	STEP	STEP	STEP	STEP
E	1	Housing Inspections Administrator	B	1955	2058	2166	2280	2400	2526 2659

Section 3: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

Non-Represented (CNR)

Effective: January 1, 2000

Schedule a:			1st	2nd	3rd	4th	5th	6th	7th	
FLSA	OTC	CLASSIFICATION	P	STEP	STEP	STEP	STEP	STEP	STEP	
E	1	Housing Inspections Administrator	B	2004	2109	2220	2337	2460	2589	2725

Schedule b*:				1st	2nd	3rd	4th	5th	6th	7th
FLSA	OTC	CLASSIFICATION	P	STEP	STEP	STEP	STEP	STEP	STEP	STEP
E	1	Housing Inspections Administrator	B	2013	2119	2231	2348	2472	2602	2739

*Schedule (b), above, shall be in effect should the City's General Fund revenue increase more than 3% for the year 2000 over the 1999 General Fund revenue.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998. J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends concurrence with the decision of the Director of the Civil Rights Department to approve the Affirmative Action plan of the Dayton Hudson Corporation; and further recommends that the Civil Rights Commission take action to lift the debarment of said Dayton Hudson Corporation.

Your Committee further recommends that the matter be referred to the Minneapolis Community Development Agency (MCDA) Board of Commissioners for concurrence.

Adopted. Yeas, 8; Nays, 5 as follows:

Yeas – Johnson, Thurber, Ostrow, Campbell, Biernat, Colvin Roy, Herron, Cherryhomes.

Nays – Mead, Minn, McDonald, Niland, Goodman.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration expenditures of \$158,962 for the International Telecommunications Union (ITU), the International Citizens Award Dinner and the Republican National Convention bid (which were previously authorized by the Advisory Committee for the Convention and Event Fund), now recommends reimbursement of said amount to the Greater Minneapolis Convention and Visitors Association (GMCVA).

Your Committee further recommends passage of the accompanying resolution increasing the Convention and Visitors Association Agency Appropriation by \$158,962.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-502

By Campbell

Amending The 1998 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Convention and Visitors Association Agency in the Grants – Other Fund (0600-864-8642) by \$158,962 and increasing the Convention and Visitors Association Agency revenue estimate in the Grants – Other Fund (0600-864-8642-Source 3720) by \$158,962.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998. J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute a contract with the Greater Minneapolis Convention and Visitors Association (GMCVA) for sales and marketing services for the period from January 1, 1999 through December 31, 2003, for a 1999 total of \$4,494,300, payable from the Convention Center Related Fund – Convention and Visitors Association Agency (0760-864-8641).

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published December 22, 1998)

W&MBudget – Your Committee recommends passage of the accompanying resolution authorizing execution and delivery of the Convention Center Grant Agreement with the State of Minnesota.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-503

By Campbell

Authorizing execution and delivery of the Convention Center Grant Agreement with the State of Minnesota.

Resolved by The City Council of The City of Minneapolis:

1) That pursuant to Chapter 404, Section 23, Minnesota Laws of 1998, the Minnesota Legislature approved a grant to the City of Minneapolis, in the amount of \$87,145,000, to pay the principal of certain outstanding bonds issued by the City to provide financing for the Minneapolis Convention Center. There has been presented to this Council a proposed Grant Agreement to be entered into with the Minnesota Commissioner of Finance, setting forth the terms and conditions of the grant; and

2) That the Grant Agreement and related Declaration are approved and shall be executed by the Mayor, countersigned by the Finance Officer and attested to by the City Clerk, with all such changes therein as may be permitted or required by law and approved by the officers executing the agreement, which approval shall be conclusively evidenced by the execution thereof.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998. J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends approval of the following recommendations for interim financing for the Mann Theater/Stimson Building:

1) That the appropriation in Minneapolis Community Development Agency (MCDA) Fund SDA0 (Development Account Fund) and Agency 340 (MCDA) be increased by \$1,370,000 to reimburse the City for the October 28 payment to the Hollywood Theater Company;

2) That the Finance Officer be authorized to adjust MCDA appropriations, as may be required, to provide for capitalizing transfers to SDA0, or to adjust appropriations as may be required during this interim financing period. MCDA staff intends to return to the Council with a more fully developed finance plan for these properties; and

3) That MCDA staff be directed to return to the Community Development and Ways & Means/Budget Committees with a finance plan for additional acquisition, relocation, property management holding costs, as well as Health and Safety improvements that are required at this time.

Campbell moved to amend the report by deleting the last paragraph. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **ZONING & PLANNING** Committee submitted the following reports:

Z&P – Your Committee, having under consideration the appeal filed by Robert J Voss from the decision of the Board of Adjustment denying his application for increase in maximum garage size from 676 sq ft to 768 sq ft to permit the existing 12 ft x 24 ft addition to a 20 ft x 24 ft garage to remain at 5142 Logan Av N (V-4419), and having conducted a public hearing thereon, now recommends that said appeal be denied. (Petr No 264415)

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the conditional use permit and site plan for Humboldt Circle on file with and approved by the City, and having held a public hearing thereon, now finds that the developer, Development Dynamics Corp, is out of compliance with the site plan and directs staff to take whatever actions are necessary to bring the developer into compliance on the matters of replacing or installing trees that are either missing or should be on private property, installing the fence around the holding pond, and any other matters that may not be in full compliance with the site plan. (Petr No 264414)

Your Committee further recommends that in the event the developer does not come into compliance with the site plan, the staff be directed to revoke the conditional use permit.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee recommends approval of the fees for zoning and planning services for 1999 as set forth by the Zoning Administrator in Petr No 264413, with the understanding that the increased revenue realized thereby will provide for two additional full time zoning staff and 2 additional full time planning staff. The increased fees reflect, among other things, the increased amount of work generated by the site plan review process and the 11 moratoriums currently in place.

Adopted. Yeas, 11; Nays, 1 as follows:

Yeas – Mead, McDonald, Johnson, Thurber, Ostrow, Campbell, Biernat, Niland, Colvin Roy, Herron, Cherryhomes.

Nays – Goodman.

Declining to Vote – Minn.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, to whom was referred an ordinance amending Title 20, Chapter 540 of the Minneapolis Code of Ordinances relating to Zoning Code: Business Districts, allowing indoor theaters as a conditional use in the downtown B4 and B4C districts, now recommends that the related findings set forth in Petn No 264417 be adopted and that said ordinance be given its second reading for amendment and passage.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 98-Or-159

By McDonald

Intro & 1st Reading: 10/16/98

Ref to: Z&P

2nd Reading: 12/18/98

Amending Title 20, Chapter 540 of the Minneapolis Code of Ordinances relating to Zoning Code: Business Districts.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 540.1740 of the above-entitled ordinance be amended by adding thereto a new subdivision (16) to read as follows:

540.1740. Conditional uses. The following conditional uses may be allowed in the B4 Districts, subject to the provisions of Chapter 525:

(16) Theaters – indoor.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998. J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, to whom was referred ordinances amending various Chapters of Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, as listed below,

Chapter 538, Residence Districts;

Chapter 540, Business Districts;

Chapter 542, Manufacturing Districts;

Chapter 550, Riverfront Development Generally;

Chapter 551, RR Riverfront Residential District;

Chapter 552, RC Riverfront Commercial District;

Chapter 572, Minnesota Technology Corridor Supportive Commercial (TC);

which ordinances prohibit establishment or expansion of any surface parking lot or conversion of any accessory surface parking lot to a commercial surface parking lot in Downtown, now recommends that the related findings set forth in Petn No 264417 be adopted and that said ordinances be given their second readings for amendment and passage.

Adopted. Yeas, 13; Nays none.
Passed December 18, 1998.
Approved December 24, 1998. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

ORDINANCE 98-Or-160

**By Goodman, McDonald, Cherryhomes, Ostrow, Campbell, Biernat, Johnson,
Niland, Herron, Thurber, Mead, Colvin Roy and Minn**

Intro & 1st Reading: 12/10/98

Ref to: Z&P

2nd Reading: 12/18/98

**Amending Title 20, Chapter 538 of the Minneapolis Code of Ordinances relating to the
Zoning Code: Residence Districts.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Chapter 538 of the above-entitled ordinance be amended by adding thereto a new Section 538.85 to read as follows:

538.85. Downtown residential surface parking restriction. The establishment or expansion of any surface parking lot or the conversion of any accessory surface parking lot to a commercial surface parking lot is prohibited in the area bounded by Chicago Avenue south to 15th Street and west along 15th Street to 4th Avenue and north along 4th Avenue to 12th Street and west along 12th Street to Interstate 394 and northeast along Interstate 394 to 3rd Avenue and along 3rd Avenue extended to the Mississippi River and southeast along the Mississippi River to Chicago Avenue except that a development with at least eighty (80) percent of the gross floor area dedicated to residential use may incorporate, by conditional use permit, up to twenty (20) spaces of accessory surface parking on the same zoning lot. This provision shall not apply to any project which has received all required approvals by the city council, planning commission or board of adjustment, but which has not obtained necessary building permits prior to the final approval of this ordinance.

Adopted. Yeas, 13; Nays none.
Passed December 18, 1998. J. Cherryhomes, President of Council.
Approved December 24, 1998. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

ORDINANCE 98-Or-161

**By Goodman, McDonald, Cherryhomes, Ostrow, Campbell, Biernat, Johnson,
Niland, Herron, Thurber, Mead, Colvin Roy and Minn**

Intro & 1st Reading: 12/10/98

Ref to: Z&P

2nd Reading: 12/18/98

**Amending Title 20, Chapter 540 of the Minneapolis Code of Ordinances relating to
Zoning Code: Business Districts.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Chapter 540 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 540.215 to read as follows:

540.215. Downtown business surface parking restriction. The establishment or expansion of any surface parking lot or the conversion of any accessory surface parking lot to a commercial

surface parking lot is prohibited in the area bounded by Chicago Avenue south to 15th Street and west along 15th Street to 4th Avenue and north along 4th Avenue to 12th Street and west along 12th Street to Interstate 394 and northeast along Interstate 394 to 3rd Avenue and along 3rd Avenue extended to the Mississippi River and southeast along the Mississippi River to Chicago Avenue except that a development with at least eighty (80) percent of the gross floor area dedicated to residential use may incorporate, by conditional use permit, up to twenty (20) spaces of accessory surface parking on the same zoning lot. This provision shall not apply to any project which has received all required approvals by the city council, planning commission or board of adjustment, but which has not obtained necessary building permits prior to the final approval of this ordinance.

Section 2. That Section 540.450 (1) and (22) of the above-entitled ordinance be amended to read as follows:

540.450. Conditional uses. The following conditional uses may be allowed in the B1-1 District subject to the provisions of Chapter 525:

(1) Parking lots and garages other than accessor--For the storage of private passenger automobiles only, subject to sections 530.10(2) and 540.215.

(22) Up to twenty (20) spaces of surface parking accessory to a development with at least eighty (80) percent of the gross floor area dedicated to residential use in the area bounded by Chicago Avenue south to 15th Street and west along 15th Street to 4th Avenue and north along 4th Avenue to 12th Street and west along 12th Street to Interstate 394 and northeast along Interstate 394 to 3rd Avenue and along 3rd Avenue extended to the Mississippi River and southeast along the Mississippi River to Chicago Avenue, subject to the following:

a. The parking spaces shall be located on the same zoning lot as the principal use or uses.

b. Where practical, the parking spaces shall be separated from public sidewalks by a residential or commercial use.

Section 3. That Chapter 540.940 (1) and (22) of the above-entitled ordinance be amended to read as follows:

540.940. Conditional uses. The following

conditional uses may be allowed in the B2 Districts, subject to the provisions of Chapter 525:

(1) Commercial parking lots for the storage of private passenger automobiles only, subject to sections 530.10(2) and 540.215.

(22) Up to twenty (20) spaces of surface parking accessory to a development with at least eighty (80) percent of the gross floor area dedicated to residential use in the area bounded by Chicago Avenue south to 15th Street and west along 15th Street to 4th Avenue and north along 4th Avenue to 12th Street and west along 12th Street to Interstate 394 and northeast along Interstate 394 to 3rd Avenue and along 3rd Avenue extended to the Mississippi River and southeast along the Mississippi River to Chicago Avenue, subject to the following:

a. The parking spaces shall be located on the same zoning lot as the principal use or uses.

b. Where practical, the parking spaces shall be separated from public sidewalks by a residential or commercial use.

Section 4. That Section 540.1730 (1) and (18) of the above-entitled ordinance be amended to read as follows:

540.1730. Permitted uses. The following uses are permitted in the B4 Districts:

(1) Any use permitted in the B3 Districts, subject to section 540.215.

(18) Commercial parking lots and ramp--For the storage of private passenger automobiles only, subject to section 540.215.

Section 5. That Section 540.1740 of the above-entitled ordinance be amended by adding a new Subdivision (17) to read as follows:

540.1740. Conditional uses. The following conditional uses may be allowed in the B4 Districts, subject to the provisions of Chapter 525:

(17) Up to twenty (20) spaces of surface parking accessory to a development with at least eighty (80) percent of the gross floor area dedicated to residential use in the area bounded by Chicago Avenue south to 15th Street and west along 15th Street to 4th Avenue and north along 4th Avenue to 12th Street and west along 12th Street to Interstate 394 and northeast along Interstate 394 to 3rd Avenue and along 3rd Avenue extended to the

Mississippi River and southeast along the Mississippi River to Chicago Avenue, subject to the following:

a. The parking spaces shall be located on the same zoning lot as the principal use or uses.

b. Where practical, the parking spaces shall be separated from public sidewalks by a residential or commercial use.

Section 6. That Section 540.2100 of the above-entitled ordinance be amended to read as follows:

540.2100. Permitted uses. The following uses are permitted in the B4SP District:

- (1) Parking garages or ramps.
- (2) Theaters.

Any use permitted in the B4S Districts may be established as an accessory use in a parking garage or ramp provided the total of such accessory uses does not occupy more than forty (40) per cent of the ground floor or any use permitted in the B4S Districts may be established as an accessory use in any location in the building providing that the total parking on the site shall be not less than one space per seventy (70) square feet of lot area in the site.

Section 7. That Section 540.2210 of the above-entitled ordinance be amended to read as follows:

540.2210. Permitted uses. Any use permitted in the B4 District shall be permitted in the B4H District.

Parking lots, garages, or ramps may be established as an accessory use to the permitted uses. However, the establishment or expansion of any surface parking lot or the conversion of any accessory surface parking lot to a commercial surface parking lot is prohibited in the area bounded by Chicago Avenue south to 15th Street and west along 15th Street to 4th Avenue and north along 4th Avenue to 12th Street and west along 12th Street to Interstate 394 and northeast along Interstate 394 to 3rd Avenue and along 3rd Avenue extended to the Mississippi River and southeast along the Mississippi River to Chicago Avenue except that a development with at least eighty (80) percent of the gross floor area dedicated to residential use may incorporate, by conditional use permit, up to twenty (20) spaces of accessory surface parking on the same zoning lot.

Section 8. That Section 540.2220 of the above-entitled ordinance be amended to read as follows:

540.2220. Conditional uses. The following conditional uses may be allowed in the B4H District subject to the provisions of Chapter 525:

(2) Up to twenty (20) spaces of surface parking accessory to a development with at least eighty (80) percent of the gross floor area dedicated to residential use in the area bounded by Chicago Avenue south to 15th Street and west along 15th Street to 4th Avenue and north along 4th Avenue to 12th Street and west along 12th Street to Interstate 394 and northeast along Interstate 394 to 3rd Avenue and along 3rd Avenue extended to the Mississippi River and southeast along the Mississippi River to Chicago Avenue, subject to the following:

a. The parking spaces shall be located on the same zoning lot as the principal use or uses.

b. Where practical, the parking spaces shall be separated from public sidewalks by a residential or commercial use.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished January 16, 1999)

ORDINANCE 98-Or-162

By Goodman, McDonald, Cherryhomes, Ostrow, Campbell, Biernat, Johnson, Niland, Herron, Thurber, Mead, Colvin Roy and Minn

Intro & 1st Reading: 12/10/98

Ref to: Z&P

2nd Reading: 12/18/98

Amending Title 20, Chapter 542 of the Minneapolis Code of Ordinances relating to the Zoning Code: Manufacturing Districts.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Chapter 542 of the above-entitled ordinance be amended by adding thereto a new Section 542.265 to read as follows:

542.265. Downtown manufacturing surface parking restriction. The establishment or expansion of any surface parking lot or the conversion of any accessory surface parking lot to a commercial surface parking lot is prohibited in the area bounded by Chicago Avenue south to 15th Street and west along 15th Street to 4th Avenue and north along 4th Avenue to 12th Street and west along 12th Street to Interstate 394 and northeast along Interstate 394 to 3rd Avenue and along 3rd Avenue extended to the Mississippi River and southeast along the Mississippi River to Chicago Avenue. This provision shall not apply to any project which has received all required approvals by the city council, planning commission or board of adjustment, but which has not obtained necessary building permits prior to the final approval of this ordinance.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 98-Or-163

**By Goodman, McDonald,
Cherryhomes, Ostrow,
Campbell, Biernat, Johnson,
Niland, Herron, Thurber,
Mead, Colvin Roy and Minn**

Intro & 1st Reading: 12/10/98

Ref to: Z&P

2nd Reading: 12/18/98

Amending Title 20, Chapter 550 of the Minneapolis Code of Ordinances relating to the Zoning Code: Riverfront Development Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Chapter 550 of the above-entitled ordinance be amended by adding thereto a new Section 550.25 to read as follows:

550.25. Prohibited uses. The establishment or expansion of any surface parking lot or the conversion of any accessory surface parking lot to a commercial surface

parking lot is prohibited in the area bounded by Chicago Avenue south to 15th Street and west along 15th Street to 4th Avenue and north along 4th Avenue to 12th Street and west along 12th Street to Interstate 394 and northeast along Interstate 394 to 3rd Avenue and along 3rd Avenue extended to the Mississippi River and southeast along the Mississippi River to Chicago Avenue except that a development with at least eighty (80) percent of the gross floor area dedicated to residential use may incorporate, by conditional use permit, up to twenty (20) spaces of accessory surface parking on the same zoning lot. This provision shall not apply to any project which has received all required approvals by the city council, planning commission or board of adjustment, but which has not obtained necessary building permits prior to the final approval of this ordinance.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 98-Or-164

**By Goodman, McDonald,
Cherryhomes, Ostrow,
Campbell, Biernat, Johnson,
Niland, Herron, Thurber,
Mead, Colvin Roy and Minn**

Intro & 1st Reading: 12/10/98

Ref to: Z&P

2nd Reading: 12/18/98

Amending Title 20, Chapter 551 of the Minneapolis Code of Ordinances relating to Zoning Code: RR Riverfront Residential District.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 551.20 of the above-entitled ordinance be and is hereby repealed.

Section 2. That Section 551.40 of the above-entitled ordinance be amended by adding a new Subdivision (4) to read as follows:

551.40. Conditional uses. Any use allowed as a conditional use in the R1 District shall be allowed in the RR District, subject to the provisions of Chapter 525, and in addition:

(4) Up to twenty (20) spaces of surface parking accessory to a development with at least eighty (80) percent of the gross floor area dedicated to residential use in the area bounded by Chicago Avenue south to 15th Street and west along 15th Street to 4th Avenue and north along 4th Avenue to 12th Street and west along 12th Street to Interstate 394 and northeast along Interstate 394 to 3rd Avenue and along 3rd Avenue extended to the Mississippi River and southeast along the Mississippi River to Chicago Avenue subject to the following:

a. The parking spaces shall be located on the same zoning lot as the principal use or uses.

b. Where practical, the parking spaces shall be separated from public sidewalks by a residential or commercial use.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 98-Or-165

By Goodman, McDonald, Cherryhomes, Ostrow, Campbell, Biernat, Johnson, Niland, Herron, Thurber, Mead, Colvin Roy and Minn

Intro & 1st Reading: 12/10/98

Ref to: Z&P

2nd Reading: 12/18/98

Amending Title 20, Chapter 552 of the Minneapolis Code of Ordinances relating to the Zoning Code: RC Riverfront Commercial District.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 552.40 of the above-entitled ordinance be amended by adding thereto a new Subdivision (5) to read as follows:

552.40. Conditions governing permitted uses. Uses permitted in the RC District are subject to the following conditions:

(5) The establishment or expansion of any surface parking lot or the conversion of any accessory surface parking lot to a commercial surface parking lot is prohibited in the area bounded by Chicago Avenue south to 15th Street and west along 15th Street to 4th Avenue and north along 4th Avenue to 12th Street and west along 12th Street to Interstate 394 and northeast along Interstate 394 to 3rd Avenue and along 3rd Avenue extended to the Mississippi River and southeast along the Mississippi River to Chicago Avenue except that a development with at least eighty (80) percent of the gross floor area dedicated to residential use may incorporate, by conditional use permit, up to twenty (20) spaces of accessory surface parking on the same zoning lot. This provision shall not apply to any project which has received all required approvals by the city council, planning commission or board of adjustment, but which has not obtained necessary building permits prior to the final approval of this ordinance.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 98-Or-166

By Goodman, McDonald, Cherryhomes, Ostrow, Campbell, Biernat, Johnson, Niland, Herron, Thurber, Mead, Colvin Roy and Minn

Intro & 1st Reading: 12/10/98

Ref to: Z&P

2nd Reading: 12/18/98

Amending Title 20, Chapter 572 of the Minneapolis Code of Ordinances relating to the Zoning Code: Minnesota Technology Corridor Supportive Commercial (TC).

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 572.10 of the above-entitled ordinance be amended by adding thereto a new Subdivision (6) to read as follows:

572.10. Conditions governing permitted uses. Uses permitted in the TC District are subject to the following conditions:

(6) The establishment or expansion of any surface parking lot or the conversion of any accessory surface parking lot to a commercial surface parking lot is prohibited in the area bounded by Chicago Avenue south to 15th Street and west along 15th Street to 4th Avenue and north along 4th Avenue to 12th Street and west along 12th Street to Interstate 394 and northeast along Interstate 394 to 3rd Avenue and along 3rd Avenue extended to the Mississippi River and southeast along the Mississippi River to Chicago Avenue. This provision shall not apply to any project which has received all required approvals by the city council, planning commission or board of adjustment, but which has not obtained necessary building permits prior to the final approval of this ordinance.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the intent of Gassan Khorl (for Good Choice, Inc) to make application to rezone property at 2746 Blaisdell Av, now recommends that the City, as an owner of certain parcels within 100 feet of said location, consent to the commencement of the rezoning process for 2746 Blaisdell Av, and any appropriate City official can give evidence of this consent. (Petr No 264411)

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee recommends passage of the accompanying resolution requesting a 6 month extension of the due date for review of the City's Comprehensive Plan from the Metropolitan Council. (Petr No 264416)

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-504

By McDonald

Requesting 6 month extension of the December 31, 1998 due date for review of the City of Minneapolis Comprehensive Plan for consistency with amended Metropolitan Council policy plans.

Whereas, Minn Stat Sections 473.175 – 473.871 (1996) require that cities review and revise their comprehensive plans for consistency with Metropolitan Council policy plans; and

Whereas the City of Minneapolis is required to review its comprehensive plan for consistency with the amended policy plans and to prepare a revised comprehensive plan for submission to the Metropolitan Council by December 31, 1998; and

Whereas, the City of Minneapolis has scheduled and budgeted to complete a major review and update of its comprehensive plan by June 30, 1999;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis that the City of Minneapolis requests that the Metropolitan Council grant the City of Minneapolis a 6 month extension to the deadline to complete its comprehensive plan; circulate the revised document to the adjacent governmental units and affected school districts for review and comment; and, following approval by the Planning Commission and after consideration by the City Council, submit the plan to the Metropolitan Council for review.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee recommends that the following applications for special permits be granted:

a. Application of Patrick Scully to operate Patrick's Cabaret, 506 E 24th St, at present limited capacity of 49 as renovation and code compliance are worked on and building purchase is finalized, from October 16, 1998 to October 15, 1999, notwithstanding the Zoning Code. (#1998-203)

b. Application of Attracta Sign to install double face cabinet on pylon sign, 20 ft long x 2 ft high, for Radio Shack at 3007 Nicollet Av, notwithstanding the Zoning Code. (#1998-232)

c. Application of George Deemer to allow A Packaging Company to place a portable sign at 5409 Nicollet Av S for 30 days to let people know the company has moved, notwithstanding the Zoning Code. (#1998-221)

d. Application of Suburban Lighting to remove existing signage and install three 3 ft x 3 ft canopy signs and one freestanding sign for Citgo at 2700 University Av SE, notwithstanding the Zoning Code. (#1998-238)

e. Application of Nordquist Sign Co to install one projecting entry sign, 4 ft x 10 ft 3 in high, for the Rand Parking Ramp at 517 Marquette Av, on condition that the sign not deviate from the size, location or illumination specified with its application and that no additional signs be approved, notwithstanding the Zoning Code. (#1998-230)

f. Application of Walter H. Rockenstein II, for KMC Telecom II, Inc, for permission to begin construction of a utility cabinet at 2820 E 42nd St immediately after approval by the Planning Commission of a conditional use permit for the project, with the understanding that KMC will return the site to its original condition if the conditional use permit is subsequently appealed and denied, notwithstanding the Zoning Code. (#1998-240)

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 21, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the environmental review process for the 50 South Sixth Street Project (Hines Building), now recommends that the City Council (1) not order the development of an Environmental Impact Statement and, therefore, make a Negative Declaration, and (2) adopt the Findings of Fact and Record of Decision report set forth in Petn No 264416.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 18, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published December 22, 1998)

MOTIONS

Ostrow moved to delete from the agenda the motion recommending payment of workers' comp & bills for professional services. Seconded.

Adopted upon a voice vote.

Campbell, Chair of the Ways & Means/ Budget Committee, moved that the regular payrolls for all City employees under City Council jurisdiction for the month of January 1999 be approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

McDonald moved to introduce the subject matter of ordinances amending Title 20, of the Minneapolis Code of Ordinances relating to *Zoning Code*, adding Chapter 549, *Downtown Districts*, which was given its first reading and referred to the Zoning & Planning Committee. (To replace Chapters 540, 550, 551, 552, 555, 570, 571 & 572 of the Zoning Code)

McDonald moved to introduce the subject matter of an ordinance amending Title 20, Chapter 525 of the Minneapolis Code of Ordinances relating to *Zoning Code: Administration and Enforcement*, which was given its first reading and referred to the Zoning & Planning Committee (Amending Section 525.150, *Fees*, by adding a new section on downtown projects).

Minn moved to reconsider Resolutions 98R-470 through 98R-478 passed by the Council December 10, 1998 requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds. Seconded.

Adopted upon a voice vote.

Campbell moved passage of the accompanying resolutions requesting the Board of Estimate and Taxation to incur indebtedness and issue and sell City of Minneapolis bonds, and authorization for summary publication Seconded.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolutions 98R-505 through 98R-513, requesting the Board of Estimate and Taxation to issue bonds for projects in the 1999 Capital Improvement Program, were passed December 18, 1998, by the City Council and approved December 24, 1998 by the Mayor. A complete copy of each resolution is available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 98R-505

By Campbell

Requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$1,100,000 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$1,100,000, the proceeds of which are to be used for equipment purchases as part of renewing the fleet, as outlined in the Fleet Management Study recommendations adopted by the City Council in 1997.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998. J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 98R-506

By Campbell

Requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$2,500,000 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$2,500,000, the proceeds of which are to be used as follows:

PS11	Sanitary Sewer Separation	\$2,254,000
T02	Miscellaneous Residential Segments	111,000
T16	Southeast Minneapolis Industrial (SEMI)	135,000

In total comprising the 1999 CSO Program \$2,500,000

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998. J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 98R-507

By Campbell

Requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$4,642,000 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$4,642,000, the proceeds of which are to be used for the purpose of paying the portion of the cost of making and constructing certain local improvements to be assessed against benefited properties as estimated by the City Council and the Park Board, including assessable portions of the costs relating to sanitary sewers, paving, mill and overlays, alley resurfacing, retaining walls, streetscapes, landscaping, curb and gutter, street lighting, traffic management plans, ornamental lighting and bike lake development which assessments shall be collected in successive equal annual installments, payable in the same manner as real estate taxes, the number of installments determined by the type of improvement and current City Council policy.

T01	Parkway Paving	\$ 50,000
T02	Miscellaneous Residential Segments	514,000
T03	Street Rehabilitation Program	806,000
T16	SEMI (Phase II) Sanitary Sewer	134,000
T18	Franklin Avenue West Paving	298,000
T18	Franklin Avenue West Lighting	244,000
T18	Franklin Avenue West Landscaping	134,000
T24	Johnson Street NE	127,000
T26	Tenth Street South Paving	196,000
T26	Tenth Street South Lighting	68,000
T27	Washington Avenue North Paving	1,600,000
T47	First Street South Bridge Paving	32,000
T80G	Central Avenue NE Paving	350,000
T80G	Central Avenue NE Lighting	89,000
Total		\$4,642,000

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998. J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 98R-508

By Campbell

Requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$150,000 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$150,000, the proceeds of which are to be used

for diseased tree removal which assessments shall be collected in 5 successive equal annual installments payable in the same manner as real estate taxes.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998. J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 98R-509

By Campbell

Requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$21,489,000 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$21,489,000, the proceeds of which are to be used as follows:

		Regular	Fund 525
		Net Debt	Net Debt
By the City Council for:			
GM01	Building & Facilities Improvement Program	\$ 1,063,000	
GM02	Public Works Facilities - Phase II	850,000	
GM03	Farmer's Market Reroofing of Display Sheds	310,000	
GM04	Public Service Center Building Improvement	250,000	
GM12B-1	American Indian Center Renovation	300,000	
GM12-2	American Indian Center Renovation	220,000	
GMx1	City Hall Remodeling Police & Planning	85,000	
HS03	Animal Shelter	2,625,000	
HS04A	Fire Training Campus - HX Material Training	547,000	
HS06	911 Center Expansion	600,000	
PW	PW Past Revenue Shortfalls	1,100,000	
T01	Parkway Paving	500,000	
T01g	Parkway Paving		\$ 225,000
T02	Miscellaneous Residential Segments	1,832,000	
T03	Street Rehabilitation Program	2,438,000	
T17	15th & 16th Avenues N	314,000	
T22	Hiawatha Avenue (Phase V), 46th to Crosstown Highway	250,000	
T24	Johnson Street NE	145,000	
T26	Tenth Street S	40,000	23,000
T41	Major Bridge Repair & Rehabilitation	150,000	
T47	First Street S Bridge	606,000	
T51	Dinkytown Bikeway Connection Bridge	150,000	
T54	New Traffic Signals	40,000	
T59	Commuter Bicycle Route System	375,000	
T63	Controller Conversion	200,000	
T65	Traffic Signals, Signing, Lighting		256,000
T65G	Traffic Signals, Signing, Lighting		87,000
T80G	Central Avenue NE		1,352,000
Tx1	Fifth Avenue S	389,000	
Tx2	MCDA Riverside Streetscape Improvement	200,000	

By the Building Commission for:

GM08	Mechanical Systems Upgrades	721,000
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By the Library Board for:

HD10	Linden Hills	700,000
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By the Park Board for:

HD19	Southwest Gym	500,000
HD20a	North Commons Park	350,000
HD21a	Van Cleve Park	450,000
HD42	W River Pkwy Trails Stone Arch to Bridge #9	100,000
HD43	Roof Repair Armatage Recreation Center	100,000
HD49	East Phillips	250,000
HD61	Logan Park Athletic Field Renovation	123,000
HDx1	Central Park	473,000
HDx2	NRP Match (Armatage Playground Park Bd)	50,000
HDx2	Armatage Playground City	100,000

		\$18,973,000	\$2,516,000
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Total Net Debt \$21,489,000

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998. J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 98R-510

By Campbell

Requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$16,455,000 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$16,455,000, the proceeds of which are to be used for flood mitigation projects, as follows:

Jefferson Elementary School	\$ 650,000
E 43 rd Street & Park Avenue - Pond (26a)	1,700,000
33 rd Avenue N to Mississippi River - Storm Drain (6)	2,000,000
E 60 th Street & 1 st Avenue S - Pond (34)	3,000,000
Jackson Square - Pond (9)	4,300,000
Pump Station to Minnehaha Creek (29, 30)	2,000,000
29 th & Logan Avenues N - Pond (37)	2,000,000
E 37 th Street & Columbus Avenue - Pond (12, 21, 22)	805,000
In total comprising the 1999 Bonded 1999 Flood Mitigation Bond Program	\$16,455,000

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998. J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 98R-511

By Campbell

Requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$16,875,000 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$16,875,000, the proceeds of which are to be used for water works projects, as follows:

I D 1	New 40M Gallons Finished Water Reservoir	\$ 8,200,000
II D 1	New Baffle Walls for Finished Water Reservoirs	165,000
II D 2	Repair & Seal Reservoir Roofs	1,500,000
II E 2	Water Main Replacement and/or Cleaning & Lining	1,600,000
II E 3	Meter Replacement	1,900,000
II E 4	Large Water Main Cleaning & Lining	460,000
II G 3	Roof Repair & Replacement	550,000
II G 9	Complete Scada System	2,500,000
	1999 Water Bond Program	\$16,875,000

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998. J. Cherryhomes, President of Council.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 98R-512

By Campbell

Requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$13,600,000 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$13,600,000, the proceeds of which are to be used as follows:

1998 Strategic Information Systems Project (SISP) Additional Costs	\$3,350,000
1998 Year 2000 Costs	4,900,000
1999 SISP Costs	2,350,000
1999 Year 2000 Costs	<u>3,000,000</u>
In total comprising the 1999 Information & Technology Services (ITS) Bond Program	\$13,600,000

Adopted. Yeas, 13; Nays none.
Passed December 18, 1998. J. Cherryhomes, President of Council.
Approved December 24, 1998. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 98R-513
By Campbell

Requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$2,750,000 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$2,750,000, the proceeds of which are to be used for the purpose of paying the portion of the cost of acquiring and constructing certain local improvements to be assessed against benefited properties as estimated by the City Council including assessable portions of the costs relating to alley resurfacing retaining walls, streetscapes, landscaping, curb and gutter, street lighting, ornamental lighting and parking lot development and maintenance which assessments shall be collected annually after offsetting the costs by net parking revenues.

Adopted. Yeas, 13; Nays none.
Passed December 18, 1998. J. Cherryhomes, President of Council.
Approved December 24, 1998. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

Biernat moved to rescind Resolution 98R-200, "amending the 1998 General Appropriation Resolution", passed by the Council on June 12, 1998 which appropriated \$111,650 of grant funding from the MinnesotaCare Outreach Grants Program, due to the inability to execute a contract in accordance with the deadlines imposed by the State of Minnesota. Seconded.

Adopted. Yeas, 13; Nays none.
Passed December 18, 1998.
Approved December 24, 1998. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 98R-514
By Biernat

Rescinding Resolution 98R-200 "amending the 1998 General Appropriation Resolution", passed June 12, 1998.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution be rescinded.

Adopted. Yeas, 13; Nays none.
Passed December 18, 1998. J. Cherryhomes, President of Council.
Approved December 24, 1998. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

Minn moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Margaret Richardson for a residential block event to be held December 22, 1998, between the hours of 7:00 p.m. and 10:00 p.m. on Emerson Avenue South between 47th and 46th Streets, having approval granted by Public Works and the Police departments to grant said waiver. Seconded.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Mead moved that the City Attorney be authorized to exercise the City's power of condemnation, if necessary, to acquire properties identified on the list below to implement the next phase of the city's stormwater and flood mitigation plan.

Pond #34 Property Address

6004-06 1st Ave S;
6019 1st Ave S;
6024 1st Ave S;
6025 1st Ave S;
6030 1st Ave S;
6031 1st Ave S;
6035 1st Ave S;
6036 1st Ave S;
6041 1st Ave S;
6044 1st Ave S;
6045 1st Ave S;

6004 Stevens Ave S;
6008 Stevens Ave S;
6012 Stevens Ave S;
6016 Stevens Ave S;
6020 Stevens Ave S;
6024 Stevens Ave S;
6028 Stevens Ave S;
6032 Stevens Ave S;
6036 Stevens Ave S;
6040 Stevens Ave S;
6044 Stevens Ave S;
6052 Stevens Ave S;

115 61st St E.

Pond #9 Property Address

800 22nd Ave NE;
804-06 22nd Ave NE;
808 22nd Ave NE;
812 22nd Ave NE;
816 22nd Ave NE;
801 20th Ave NE;
804 20th Ave NE;
805 20th Ave NE;
806 20th Ave NE;
809 20th Ave NE;
810 20th Ave NE;
814 20th Ave NE;
815 20th Ave NE;
817 20th Ave NE;

1911 Quincy St NE;
1915 Quincy St NE;
1919 Quincy St NE;

801 19th Ave NE;
807 19th Ave NE;
801-11 19th Ave NE.

Seconded.

Adopted. Yeas, 13; Nays none.

Passed December 18, 1998.

Approved December 24, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTIONS

Ostrow, Campbell, Biernat, Johnson, Cherryhomes, Niland, Goodman, Herron, Thurber, McDonald, Mead, Colvin Roy and Minn offered a Resolution honoring Mike Monahan for his significant contributions and service to the City of Minneapolis.

Adopted. Yeas, 13; Nays none.
Passed December 18, 1998.
J. Cherryhomes, President of Council.
Approved December 24, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.
(Not published. See Resolution 98R-515 on
file in the office of the City Clerk.)

right of way).
Campbell moved to adjourn. Seconded.
Adopted. Yeas, 13; Nays none.
Adjourned.

Merry Keefe,
City Clerk.
98-10956

Cherryhomes, Ostrow, Campbell, Biernat,
Johnson, Niland, Goodman, Herron, Thurber,
McDonald, Mead, Colvin Roy and Minn offered
a Resolution honoring Paul Rexford Thatcher,
Sr. for his service on the Metropolitan Sports
Facilities Commission.

Adopted. Yeas, 13; Nays none.
Passed December 18, 1998. J.
Cherryhomes, President of Council.
Approved December 24, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.
(Not published. See Resolution 98R-516 on
file in the office of the City Clerk.)

UNFINISHED BUSINESS

Rental Dwelling License at 1035 17th Av
SE: Concur with recommendation of Rental
Dwelling License Board of Appeals to revoke
license held by Erik Johnson. (Postponed
10/16/98, PS&RS)

Septran Inc, 3948 Nicollet Av: Deny appeal
for nonconforming use certificate to allow gas
station and repair garage, grant appeal for
variance. (Postponed 10/30/98, Z&P)

Special School District #1: Passage of
Resolution vacating alley in block; Authorize
summary publication. (Postponed 11/13/98,
Z&P)

Biernat moved to continue postponement
of the above postponed items. Seconded.
Adopted upon a voice vote.

NEW BUSINESS

Mead offered an Ordinance amending Title
17, Chapter 437 of the Minneapolis Code of
Ordinances relating to *Streets and Sidewalks:
Sidewalk, Curb and Gutter Construction*, which
was given its first reading and referred to the
Transportation & Public Works Committee
(Amending Section 437.20 relating to permit
fees for sidewalk, curb, etc. within the public